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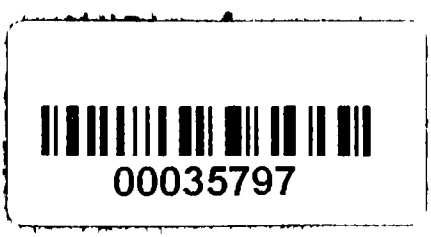
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THE AWAKENING OF SCOTLAND

A HISTORY FROM 1747 TO 1797

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BY

WILLIAM LAW MATHIESON

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TO THE

MEMORY OF MY MOTHER

PREFACE.

In this book I have continued for another fifty years the narrative of Scottish history since the Reformation which is contained in my two previous works. The second half of the eighteenth century in Scotland owes much of its interest to the awakening of industry and to the brilliant, though expensive, victory won by liberalism in the Church; but the change from stagnation to the full current of life was no less remarkable in the political than in the industrial sphere; and here perhaps the significance of the period is not so generally understood. In developing this branch of my subject I have not hesitated to pursue its ramifications into British, or even into English, history; for all the chief conflicts of opinion during these years—the Militia and Anti-Catholic agitations and the Reform movements of 1780 and 1792—originated in England; and, as the spirit of the Scottish Parliament, embodied in its election laws, survived till 1832, one has to consider, not only the original nature of this force, but its evolution as a factor in Westminster politics. In the following pages I have devoted considerable attention to such politicians as

Oswald, Dempster and Bute, and have reviewed with more precision than has yet been attempted the character and early career of Henry Dundas. Moderatism, in accordance with its conjunction of repressive methods and liberal ideas, is studied, first as a system of ecclesiastical policy, and then as an intellectual force; and the material development of the country is sketched continuously under its several heads. I had intended in a concluding chapter to indicate the effect of expanding thought and industry on the daily life of the people; but this has been done fully, if not methodically, by the late Henry Grey Graham; and little of importance could have been added to his vivid, humorous and picturesque account.

EDINBURGH: *November*, 1910.

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INTRODUCTION

It might not be an easy task to determine with precision the chief points of contrast between Scottish and English history, but anyone who compares the two branches of study, as they are presented to us by their respective exponents, will see at a glance that persons and incidents are most conspicuous in the one case, institutions and movements in the other. What distinguishes the history of England from that, not only of Scotland, but of every other European State, is the evidence it affords of a continuous endeavour to develop the machinery of government in accordance with the spirit of the age. This process can be traced in unbroken sequence to the Norman Conquest—not that it did not begin in far earlier times, but that from that period there has been no cataclysm in the national life. For more than a hundred years after the Conquest we find the Crown, supported by the mass of the people, striving to hold the nobles in check. The nobles, exhausted and chastened, then make head against the monarchy, which Henry II. has raised to unprecedented strength. Succeeding against John and Henry III., they are forced into partnership with the Commons by the statesmanship of Edward I.; and, after attempting for a time to shake off their allies, they make common cause with them, and encourage

them to assert their power—to refuse supplies, to allot and supervise expenditure, to impeach the King's Ministers. The nobles then become too strong for the weakened prerogative—constitutional progress, in Bishop Stubbs' phrase, has outrun administrative order; and the industrial classes demand a strong ruler, who will put down feuds and riots and secure the public peace. Hence the Tudor dictatorship, established to curb the aristocracy, and maintained in power to cope with external dangers resulting from the Reformation; and this in turn succumbs to revolution when the Stewart kings persist in continuing a system which has outlived its uses. At the Restoration the Commons keep the King's purse, but are not strong enough to direct his policy; Minister after Minister is impeached, only to be succeeded by another no less unpopular; and the difficulty is not solved till, as the tardy result of another revolution, the principle is established that the government must be exercised by a committee of the party which is dominant in the House of Commons.

It has been said that the success of Englishmen in developing their political institutions is to be attributed, not to "some profound sagacity or foresight peculiar to themselves," much less to luck or accident, but to the fact that their "training in the conduct of affairs" had begun a century or two earlier than that of Frenchmen or Germans.[1] The fact itself requires to be explained; but, if national distinctions are to be ascribed more to environment than to original character, the causes which had retarded constitutional progress on the Continent were equally operative in Scotland. Unlike their more powerful neighbours, the Scots derived no security, no scope for constructive statesmanship, from their insular

[1] Dicey's *Law of the Constitution*, third edition, p. 274.

position. Maintaining a precarious independence between the Border and the Highland line, they were never at peace, and their politics long remained as rude and violent as their social life. Edward I. and Edward III. all but succeeded in conquering Scotland, and, the attempt of the latter having been frustrated by foreign intervention and the outbreak of a continental war, his successors never ceased to molest the northern kingdom —to assail it by force and to undermine it by intrigue— as an outpost of France. In a soil so poor, in a climate so tempestuous, institutions dwindled rather than grew. Questions not unlike the constitutional issues of English history do indeed arise, but they are mere incidents in the rivalry of Crown and barons, and are determined by the balance of power, without reference to principle or usage.[1] Scotland, which Sir John Fortescue, the Chief Justice of Henry VI., cited as a limited monarchy, had its Parliament of three Estates, but this was never more than the King's feudal court, comprising his immediate vassals and chartered burghs. It is doubtful whether the burgesses were invariably present in Parliament before the middle of the fifteenth century, and by that time all but noble freeholders had practically ceased to attend, and the functions of debate and legislation had been usurped by a committee known as the Lords of the Articles, or briefly the Articles, and including, or soon to include, in its membership the Officers of State. Such a development precluded the possibility of that antagonism of legislature and executive which was so long the

[1] "It is the absence of any assertion of, or struggle for, constitutional principle that is ultimately decisive against the 'constitutional' theory. When, as here [1369], the nobles had the power, they said they would do certain things, and they did them. But there is no conscious effort, traceable from generation to generation, such as we find in English history."—Rait's *Scottish Parliament*, p. 71, note.

mainspring of English constitutional progress, and the Scottish Parliament in all but its last days was little more than an instrument for registering edicts, and for legalising usurpations, of the royal power. At all events, it did not advance. Before the close of the thirteenth century Edward I. had practically reduced feudalism in England to a system of land tenure; but the political organisation of Scotland remained almost wholly feudal,[1] not merely to the Union of 1707, but to the Reform Bill of 1832. In England, before 1350, shire members and borough members, representing the two great interests of land and commerce, had united to form a House of Commons: in Scotland the burgesses sat in one House with the nobles and prelates, and the lesser tenants of the Crown were not represented till 1585. Even this reform, a product of the social changes effected by the Reformation, did not really broaden the constitution, for the county franchise was confined to a class which ought in theory to have attended in person.

So slight was the direct constitutional influence of a movement which closed the long controversy with England and provided a counterpoise to the power of the great lords. The Reformation was not wholly, or even mainly, a religious force, for it was provoked by the Gallicising policy of Mary of Lorraine as Regent for her daughter, who was to be Queen of both Scotland and France, and was headed by the nobles, who were chiefly interested in engrossing the monastic estates; but the Protestantism which the nobles accepted, and the peasantry conformed to, as a mere form, was received with enthusiasm by many of the gentry and superior

[1] The only exception was the introduction of parliamentary peerages in 1587. Before this period, tenure *in capite* had been the sole qualification for a seat in the Scottish Parliament.

townsmen; and this influence, crystallising into a fourfold hierarchy of Church courts, tended both to create and to organise a middle class. "Methinks," wrote an English observer in 1572, "I see the noblemen's great credit decay in that country, and the barons, boroughs and such-like take more upon them." Scottish Puritanism found no scope for its energies in Parliament; and, as statesmen were naturally not disposed to acknowledge the supremacy of ministers as interpreters of Scripture, which was the duty assigned to them by Knox, the two organisations, secular and ecclesiastical, drifted further and further apart, till their independence was adopted, or rather insisted on, by Andrew Melville as the basis of a theory which recognised two kingdoms—the kingdom of Christ Jesus, and the kingdom of his "silly vassal," James VI.

The Crown had now to reckon with an opposition more solid and persistent than that of aristocratic caprice; but Melville's policy was aggressive, not defensive; and he might justly be dismissed as a belated Hildebrand, were it not that he was supported by a popular organisation in whose government clergymen and laymen had equal rights. When Sir John Eliot in England asserted that members of the House of Commons were responsible only to that assembly for words spoken within its walls, he was anticipating a maxim of our modern constitution; but when Melville delivered seditious harangues from the pulpit, and refused practically to answer for them to any but an ecclesiastical court, one can only say that the fortifications of the Scottish monarchy were of a less obsolete type than the artillery with which they were assailed. Such extravagant pretensions were the fruit of an enthusiasm which could not long be maintained, particularly at a time when it had not yet penetrated to

the mass of the people. Melville had considerable difficulty in rallying his followers after his discomfiture and flight in 1584, when he had rebuked the Privy Council for presuming "to judge the doctrine and control the ambassadors and messengers of a King and Council greater nor they, and far above them." A dozen years later, a minister named Black denied the right of the Privy Council to call him to account for a singularly outrageous sermon, asserting that the office-bearers of the Church were "placed in their spiritual ministry over kings and kingdoms to plant and pluck up by the roots, to edify and demolish"; and the mass of the clergy, whom Black had previously denounced for their moderation as "leaders of the people to hell," were so disgusted with this firebrand and the commotion he had raised, that they made their peace with the King; and theocracy, exhausted and discredited, subsided for forty years into a dreamless sleep.

At the close of the sixteenth century, the only constitutional change which had been effected by the popular spirit of the Reformation was, as we have seen, the presence of shire-members in Parliament; and this change, slight enough at best so long as the Lords of the Articles controlled legislation, was reduced to insignificance by the overthrow of theocratic pretensions, and the union in 1603 of the Scottish and English crowns. Removed to a great distance from the tumults and feudal disorders of his native kingdom, and wielding the resources of a separate and powerful State, James, with no fear for his personal safety, governed Scotland "through the post"; and the Presbyterian democracy, which had once defied his prerogative, was gradually moulded into an Episcopal form. Addressing the English Parliament in 1607, he said: "This I may say for

Scotland, and may truly vaunt it: here I sit and govern it with my pen; I write and it is done; and by a Clerk of the Council I govern Scotland now—which others could not do with the sword."[1] The Estates met less and less frequently during this period, and the restoration of Episcopacy, completed in 1612, made them wholly subservient to the royal will. The spiritual Estate had gained a predominating influence in electing the Lords of the Articles, and, so long as that Estate comprised a considerable number of titular abbots and priors, the usage was not wholly inimical to freedom of choice. When, however, the prelacies long held by laymen had been legally secularised, and the spiritual peers were reduced to thirteen bishops appointed by the Crown, the Lords of the Articles became a mere committee of the King's friends.

There is no evidence that this system of royal absolutism would in itself have provoked a revolution; for it was never directly challenged on constitutional grounds, and encountered no resistance till it had come into conflict with the three great forces of Scottish politics—aristocracy, nationality and religion. Complaint was made that in the Parliament held in person by Charles I. in 1633 "voices were bought and packed"; but this was merely an indication of the storm that was being aroused by Charles's interference with the ecclesiastical property of the nobles—their tithes and church lands, and by his persistence in his father's attempt to introduce Anglican forms of worship. The movement which took the Covenant as its watchword originated in much the same causes—national, social and religious—as the Reformation, but it embraced the lower as well as the upper and the middle class, and had a far greater

[1] *Privy Council Register*, vii, Introduction, p. xxv.

influence on parliamentary forms. The Committee of the Articles, which the bishops had manipulated, was abolished at their deposition; but Parliament, despite its freedom of debate and legislation, was still much inferior to the General Assembly as a popular force; and it was not till the Assembly donned what it called "the spiritual armour" of Andrew Melville, till it condemned an Act of Parliament and prohibited all persons from obeying it "as they would not incur the wrath of God and the censures of the Kirk," that the civil authority asserted, and succeeded in establishing, its power. Cromwell, by defeating the expedition in support of the Royalist cause in England, which the Church had vainly opposed, enabled theocracy to retrieve its defeat; but Melville's spiritual kingdom estranged its great ally by making a Covenanter of Charles II.; and that kingdom, in a year and a half, had become a byword for fanaticism and extravagance when Cromwell in 1650 demolished it for ever at Dunbar.

The half-century, 1660-1707, extending from the Restoration to the Union, is conterminous with the last and most important phase of the Scottish Parliament. Religion was never again, except at one brief crisis, to be the principal factor in politics, for the re-establishment of Episcopacy, violently as it was resisted in certain districts, was accepted without demur in the Parliament House; the General Assembly continued in abeyance till 1690, when it rapidly subsided into a purely ecclesiastical court; and nothing is more noticeable in the public records of this period than the interest excited by questions of industry and trade. Under such conditions, indicating the growth of a secular spirit, the legislature could not fail to gain in strength. The Committee of the Articles, elected in such a manner as to

place it once more at the disposal of the Crown, was indeed restored; but overtures, not presented through this medium, could be directly introduced; and the House was no longer content to efface itself whilst the Articles were at work. It met frequently; lively debates and close divisions were not uncommon—divisions so close that we read of a motion being carried by the Chancellor's casting vote;[1] the Government had to cajole and threaten as well as to command; and it has been remarked as proof of the growing interest in politics that burgh seats were becoming an object of ambition to landowners, and that in 1678 a committee was appointed for the first time to determine controverted elections.[2] When Lauderdale as the King's Commissioner opened Parliament in 1673, he "met with such a spirit as he thought never to have seen," and found that a compact party, inspired, as he believed, by Shaftesbury, the English Opposition leader, was determined not only to attack his fiscal policy, but to subvert "that excellent constitution of the Articles which is the security of monarchical government here";[3] and the common purpose which united the opponents of despotism in Scotland and England received further illustration in the following reign. James VII. opened his direct assault on British Protestantism by attempting to procure a statutory toleration for the Scottish Catholics; and, after a keen contest, which was watched with great anxiety in London, his proposal was reduced by the Articles to a bare concession of private worship, and in this form was summarily rejected by the House.

[1] Sir George Mackenzie's *Memoirs*, p. 170.

[2] Porritt's *Unreformed House of Commons*, ii. 46, 47. See also Terry's *Scottish Parliament*, and the *Scottish Historical Review*, October, 1906.

[3] *Lauderdale Papers* (Camden Society), ii. 241.

James, however, exerted his prerogative in both kingdoms to suspend the penal laws; and, when this step had caused a revolt of his English subjects, the Estates concurred in his deposition, and, in offering the Crown to William and Mary, declared in the Claim of Right that the late sovereign had violated "the fundamental constitution of this kingdom and altered it from a legal limited monarchy to an arbitrary despotic power"; that he had publicly asserted his right to "annul and disable all the laws"; that he had levied money without their consent; that he had imprisoned persons without cause assigned, and delayed to put them to trial; that he had dictated the decisions of judges; and that he had subverted the third Estate by nominating the town-councils which elected its representatives in Parliament.[1] In another document certain "grievances" were enumerated which could not be called illegal, since all or most of them had received statutory recognition; and first on the list, as might have been anticipated, was the Committee of the Articles. William yielded to both petitions; but he was no less reluctant than Lauderdale to give effect to a reform which would deprive him of all influence in the making of laws except the precarious and very unpopular one of refusing his assent.[2] As Episcopacy had been abolished, the Committee could not in any case have been chosen in the old way, and it was proposed that each Estate should elect its own members; but this concession was very far from satisfying the House; and in 1690 William was forced to agree to an Act which provided that there should no

[1] *Act. Parl.* ix. 38.

[2] "I shall never suffer anything to be put to a question to shake the foundation of the Articles, or such a thing as may force me to give a negative."—*Lauderdale Papers*, ii. 246.

longer be "a standing committee," and that the King's Ministers, though entitled to attend such temporary and specific committees as might be appointed, should have power only to propose and debate, not to vote.

Henceforth, during the seventeen years of life which still remained to it, the Scottish Parliament was as completely unfettered as the Irish Parliament was to be for one year longer after the British Cabinet had lost the initiative in legislation through the repeal in 1782 of Poynings' Law; and the Ministers of George III., when they strained every resource of corrupt influence in Ireland to compensate the Crown for the loss of direct control, were merely repeating a policy which had been pursued in Scotland by William, and, less successfully, by the advisers of Queen Anne. Of the problem which had thus arisen, Union inevitably suggested itself as the only permanent solution—the problem how a legally independent Parliament at Edinburgh or Dublin was to be reconciled with a Ministry which, tacitly in the one case, avowedly in the other, took its orders from the English Court; and Scottish and Irish patriots denounced in almost identical terms the expedients with which this difficulty was temporarily met. "Let no man say," exclaimed Fletcher of Saltoun, "that it cannot be proved that the English Court has ever bestowed any bribe in this country. For they bestow all offices and pensions; they bribe us and are masters of us at our own cost. It is nothing but an English interest in this House that those who wish well to our country have to struggle with at this time." "Before 1782," said Wolfe Tone, "England bound us by her edict. . . . Since 1782 we are bound by English influence acting through our own Parliament."

This, at least, it may be supposed, was a genuine

movement in favour of constitutional reform, but the causes in which it originated, even if we put aside the personal and the religious element, were not really of that kind. We have seen that in the case of a people whose nationality was so intense and so precarious as that of the Scots, it was hardly possible for a crisis to arise in which independence was not more or less involved; and, when we look more closely into the course of events which has just been described, we find that the opposing forces were not merely a legislature and an executive, but a Scottish Parliament and what was virtually an English Crown. The quarrel of the kingdoms, which had lately been religious, was now commercial. During the first half of the seventeenth century, the Scots had been practically free to trade with England and her colonies, to the extent of their very limited means; but this boon, which the incorporating union effected by Cromwell formally conferred, was withdrawn by the Navigation Act of 1660; and the Scottish Parliament not only retaliated on English shipping, but exhausted its ingenuity for twenty or thirty years in devising a system of tariffs, exemptions and monopolies to protect the home market, to introduce new industries, and to revive the old.[1] Two abortive conferences were held—one to reconcile Scottish and English commerce, the other to promote a union. When the Estates in 1673 were called upon to contribute to the war with Holland, a member "fell upon the war and said it was only for the benefit of England, for their trade and their plantations, wherein this kingdom were made worse than strangers."[2] A new commission to

[1] See Mr. Scott's "The Fiscal Policy of Scotland before the Union" in the *Scottish Historical Review* for January, 1904.

[2] *Lauderdale Papers*, ii. 242.

negotiate a commercial treaty was appointed at the accession of James VII.; and that sovereign, when soliciting repeal of the anti-Catholic laws, declared that "we have made the opening of a free trade with England our particular care, and are proceeding in it with all imaginable application."

After the Revolution, which emancipated Parliament and finally disposed of the religious dispute, the patriotic rather than constitutional character of the agitation in Scotland was soon completely disclosed. Despairing of any abatement in their favour of the English colonial monopoly, the Estates in 1693 passed an Act for the encouragement of foreign trade, and, two years later, established a Scottish East India Company, which, however, formed a settlement, not in India, but on the isthmus of Darien. When this scheme collapsed, mainly, it was believed, owing to English ill-will, they passed the Act of Security, providing that the successor to Queen Anne in Scotland should not be her successor in England unless such conditions of government had previously been enacted as should secure from English interference the sovereignty of the kingdom, its legislative power, its religion and trade; and the following were the conditions, only the first of which, in common with the Act of Security, received the royal assent: that the sovereign should not make war or peace on behalf of Scotland without consent of Parliament; that Parliament should be consulted in the appointment of Ministers, privy councillors and judges; that a new Parliament should meet every third year, from which revenue officers were to be excluded, and that Scotland should be represented by its own ambassadors in all treaties with foreign Powers. Alarmed by this threat of separation in the midst of a French war, the English Parliament resolved

to treat for union; and the flower of the Nationalist party, realising that England was now offering commercial privileges, and would be less likely than ever to make such a concession if her corrupt influence in Scotland were cut off by constitutional reforms, decided, as one of them ruefully expressed it, "to drink the potion to prevent greater evils."[1] Henceforth Jacobitism was the only compact force enlisted against the Union; and it shows how much more the Scots were attached to their religious than to their political constitution that, unpopular as the Union was, no Whig or Presbyterian, with some rare exceptions, was prepared to obtain its repeal at the price of restoring a Catholic prince.

From this survey we are forced to conclude that, whilst the Scots before the Union were anything but a long-suffering or submissive people, their social condition was too backward and unsettled to permit of that development of private rights under the protection of the law which in England had for centuries been encroaching on the royal power. Legal shackles were no real impediment to a Scottish king, who, nevertheless, if he offended any powerful section of his subjects, was not unlikely to be resisted or deposed. Various movements, apparently constitutional, have been reviewed; but they all resolve themselves on analysis into emanations of class interest, of the religious or the national spirit; and there was no continuity in these movements, such as would have enabled the Church to appeal to rights extorted by the nobles, and Nationalists to principles established by the Church. When the representatives of a nation which had developed no constitutional tradition were called upon to take their share at West-

[1] *Jerviswood Correspondence* (Bannatyne Club), p. 142.

minster in adjusting the delicate relations of Crown and Parliament, it might easily have been predicted in which scale their weight would be cast; and in the course of this work we shall have frequent occasion to question, if not to invert, the statement of Buckle with regard to the Scots—expressing what he took to be "the largest and most important fact in their history"—that they were liberal in politics, illiberal in religion.

The Scottish Parliament passed away in 1707, but there was one part of its constitution which survived intact for a century and a quarter, and that was the rules it had laid down for the election of its shire and burgh members. The example of England is sufficient to prove that a high degree of political freedom may be attained without any adequate provision for consulting the popular will; but in this case the representative system was mutilated and anomalous rather than organically unsound. In the English county elections before the reign of Henry VI. serfdom was practically the sole disqualification for a vote; and, even after the Act of 1430, which restricted the franchise to freeholders of forty shillings' annual value, the county representation was still so liberal in character that its enlargement was the principal remedy proposed by Chatham and the early advocates of parliamentary reform. The urban as well as the rural constituencies had originally been free, but only 59 boroughs out of 203 could claim, or even pretend to, that character at the date of the Reform Bill; for in all but these the right of election accruing to householders had been restricted by local usage or had wholly disappeared. In one group it depended on the holding by burgage tenure of ancient tenements or their site; which might be a ploughed field, as at Old Sarum; a water-course, as at Downton; or a salt-spring which

had long ceased to flow, as at Droitwich; in another group it was the privilege of a freeman, in the modern signification of that word as the member of a trade guild; and in a third it had been engrossed by the council. This last group, once perhaps the largest, had been diminished in consequence of efforts made by the townsmen to recover their power; and in 1832 there were only 43 boroughs in which popular rights had been so completely usurped that a member was wont to speak, not of his constituents, but of his corporation. In all these groups, by no means rigidly defined, were comprised places of no importance, chiefly in the south-west, which had been enfranchised by the Tudors as a means of extending the influence of the Crown in Parliament, and places, once prosperous, which had fallen into decay; and these nomination or pocket boroughs—so-called because territorial magnates could dispose of them at pleasure—were so numerous that 84 individuals, "by their own immediate authority," were said in 1793 to return 157 members.[1] Nevertheless, in some of the householder constituencies, and in many of the freeman group, there was a sufficient number of voters to contribute, so far as electoral abuses permitted, a popular element to the House. Whilst half-a-dozen inhabitants elected the two members for Gatton, there were 1300 on the roll of Northampton, 2200 on that of Preston, 17,000 on that of Westminster. Rye, the smallest freeman borough, had only six electors; but there were 1200 at Exeter and Carlisle, over 2000 at Worcester, York and Liverpool, 3500 at Nottingham, 6000 at Bristol, and 12,000 in the City of London.[2]

[1] *Parliamentary History*, xxx. 795.

[2] Porritt's *Unreformed House of Commons*; Oldfield's *Representative History of Great Britain and Ireland, passim.*

In contrast with this representative system, the shrunken embodiment of a worthy ideal, we have now to consider one which was illiberal in theory, and in practice had become unspeakably worse. When the first Earl of Stair was called to account by the Estates for having said that an Act of theirs was "but a decreet of the Baron Court," he excused himself on the ground that "the representation here was feudal"; and the words were as true in 1830 as when they were uttered in 1701. The Scottish Parliament, which the British legislature absorbed, was not a national institution, for its elected members and their constituents were alike dependent on fiefs or charters derived from the Crown. If the election laws and usages had been the same in Scotland as in England, it might indeed have been of little practical importance whether the Parliament at Edinburgh represented the King's subjects or only his immediate vassals; and for a considerable period the two codes had something in common. When the Scottish county franchise was introduced in 1585, it was based, like the English, on a forty shilling freehold; but the Scottish freeholders, who did not include in their ranks the poorer gentry and the yeomanry, were a far less numerous body than the same class in England; and this small electorate was made a great deal smaller by an Act passed in 1681. Of two alternative qualifications which were then established, the first was "a forty shilling land of old extent held of the King." The words "of old extent" referred to a general valuation which had been made, nearly four centuries earlier, in the reign of Alexander III.; and the difference thus inaugurated between the real and the nominal value went on increasing till in 1793 the rent of land rated for election purposes at forty shillings was computed at from

£70 to £130 sterling.[1] Thus, whilst in England the county franchise fell automatically with the decrease in the purchasing power of money, in Scotland it rose. Where a freeholder could not appeal in support of his claim to the "old extent," he might nevertheless acquire a vote if his property was assessed in the books of the land tax Commissioners[2] at the actual value of £400 Scots, equivalent in 1793 to £400 sterling; and the qualification required under this clause was thus nearly four times as high as that established by the other.

Custom soon perverted, and in many cases even extinguished, the very small representation permitted to Scottish counties by the Act of 1681. Nobles and other great proprietors multiplied freehold qualifications on their estates, and assigned them to their dependents in temporary and conditional grants. At the first general election after the Union, Queensberry, the Government manager, was accused of "splitting freeholds and making fraudulent sales of them with clauses of revocation";[3] and this practice, which had probably begun in still earlier times, continued till 1714, when the British Parliament prescribed an oath to expose such conveyances in trust. The legislation of 1681 now suggested a more subtle device to those whose evasion of the law

[1] Prof. Terry prints the Act of 1681 in the appendix to his *Scottish Parliament*, 1603-1707, but fails to notice (p. 32) that the very significant words "of old extent" and "property or superiority" do not occur in the Act of 1585. These two alterations were of the greatest importance, the one in restricting, the other, as we shall see, in corrupting the county franchise. On this point see *Thoughts of a Layman concerning Patronage and Presentation*, 1769, p. 26, and *Scots Magazine*, 1790, p. 410.

[2] That the Act of 1681 was intended to raise the franchise is evident from the fact that the "old extent" had been superseded in 1667 for purposes of taxation by the appointment of Commissioners whose duty it was to adjust the nominal to the actual value.

[3] Somers' *Tracts*, xii. 628.

had thus been checked. As the Act of that year admitted as a qualification "property or superiority,"[1] or, in other words, superiority whether or not accompanied with proprietary rights, it became usual to transfer parcels of land valued at not less than £400 Scots from the Crown to subject-superiors, and thus to create votes by a mere manipulation of tenure.[2] No bond or trust was needed, the superior being entitled to only a nominal rent. With a view to putting down this abuse, the trust-oath of 1714 was re-enacted in 1734, with the addition of a stringent clause in which any person claiming to be enrolled as an elector might be called upon to swear "that my title to the said lands and estates is not nominal or fictitious, created or reserved in me in order to enable me to vote for a member to serve in Parliament." But "naked superiorities," worth a penny or sixpence a year, continued of course to be a perfectly legal qualification; and very few of those—frequently non-residents—who had acquired them for political purposes scrupled to take an oath, the falsity of which was so difficult to detect. In the course of this work we shall find that further and little more successful attempts were made to exterminate "these nominal esquires, these barons of shreds and patches." Meanwhile, we may content ourselves with a glance at the county electorate as it existed after the Act of 1681 had been in operation for more than a century.

From a very careful estimate[3] printed in 1790, it

[1] The Act of 1585 made no such distinction, and the superior, being then assumed to be the actual proprietor, is not even mentioned.

[2] For the process by which this was done—"a hocus-pocus of conveyances and re-conveyances"—see Bell's *Treatise on the Election Laws*, 1812, p. 276.

[3] *Scots Magazine*, 1790, p. 354. The totals in this list agree very well with those in Adam's *Political State*, 1788.

appears that there were then 2655 voters in the counties of Scotland, and that 1318 of these, or nearly one half, were fictitious. The proportion of fictitious to real voters varied greatly in different districts, but, on the whole, it was lowest in the east and south, and highest in the west and north. In Midlothian, the purest county, there were only 10 nominal freeholders out of 93, in Perthshire 19 out of 147, in Fife 32 out of 185. In Argyll, Aberdeenshire, Caithness and Orkney the two classes were about equal; but the "parchment barons" were either a considerable or a great majority in the counties of Ayr, Lanark, Renfrew, Dumbarton, Inverness, Moray, Banff, Nairn, Cromarty, Sutherland, Kinross, Clackmannan, and Bute. Of 123 voters in Banff only 19 were real, of 114 in Renfrew only 32, of 83 in Inverness only 20, and of 12 in Bute only 3.[1]

If the Scottish people in rural constituencies were not wholly excluded from the franchise, in the burghs that result had long been attained. In accordance with the constitution of the Scottish Parliament as the King's feudal court, representation was confined to the "free burghs royal," whose charters of erection were derived from the Crown. Corporate election of burgh members, which prevailed to a limited extent in England, had always been universal in Scotland, but till 1469 the town-councils were chosen by the burgesses at large. In that year, on account of "great trouble and contention" occasioned yearly "through multitude and clamour of common, simple persons," an Act was passed which provided "that the old council of the town shall choose

[1] In the county of Sutherland, which was nearly all held of the Earl, the franchise had long been exercised by the vassals of subject-superiors, and was confirmed to them by statute in 1743. The six smallest counties were represented only in every second Parliament—Caithness alternating with Bute, Clackmannan with Kinross, and Cromarty with Nairn.

the new council"; and henceforward the people had no voice in the election of burgh members, with the exception—if exception it can be called—that in burghs possessing trade-guilds (37 out of 66) a fraction of the council was elected, to some extent, by these bodies.[1] All the royal burghs except Edinburgh, which returned one member, were bracketed at the Union in groups of four or five, in order to reduce their representation from 66 members to 15. The council of each burgh in a group elected a delegate, and the delegates in conjunction elected the member. At the date of the Reform Bill the total burgh electorate numbered 1303,[2] whilst in the whole of Scotland, with a population of nearly 2½ millions, there were little more than 4000 voters. A much larger total was to be found on the roll of many English counties, and there were several towns in England where a single by-election took more voters to the poll than a general election in Scotland.

The Scottish contingent at Westminster was completed by a body of sixteen peers, who were supposed to represent the nobility who had sat in the national Parliament, whilst the forty-five commoners gave countenance to a similar fiction in regard to counties and burghs. Legally the nobles were quite unfettered in their choice, but in practice they almost invariably accepted a Government list.

It remains only to point out that the political subservience which resulted from these conditions was as fully developed in the first half of the eighteenth century as we shall find it to have been in the second. Called to take part in politics more English than British, inheriting no constitutional spirit, and confronted with a representative system in which such a spirit, had it

[1] *The Mirror of Parliament*, 1833, iv. 3730. [2] Porritt, ii. 128.

existed, could have found no expression, the Scottish upper class looked to a parliamentary career chiefly as a means of earning the spoils of office; and, having a sufficient equivalent at command, they seldom failed to obtain their reward. With reference to the general election of 1708, the first after the Union, Bishop Burnet remarks that Ministers had "laid it down for a maxim not to be departed from, to look carefully to elections in Scotland that the members returned from them might be in an entire dependence on them and be either Whigs or Tories as they should shift sides";[1] and the policy thus initiated was steadily pursued. In 1711, after another general election had brought the Tories into power, the opening of Parliament was believed to have been delayed in order to allow time for the arrival of the Scottish members, who were "all of the Court party";[2] and, more than thirty years later, when it was proposed to exempt Scotland from the imposition of certain Catholic fines, an English member of the Commons said that he knew of no reason for such exemption "unless it was because forty-five Scottish representatives in that House always voted as they were directed."[3] When measures affecting their own country were introduced, the Scottish members were by no means unanimous, and might even oppose the Government, as, with one exception, they did in the case of the Porteous Bill; but on all other questions their conduct on the whole,[4] in both Houses, was such as fully to justify their reputation as "a dead Court weight."

Politics, at all events Westminster politics, do not bulk very largely in the development of Scotland during

[1] *History*, edition 1833, v. 400. [2] Porritt, ii. 7.

[3] Townsend's *Memoirs of House of Commons*, ii. 52.

[4] An exception will shortly be mentioned.

the latter half of the eighteenth century; but the conclusions we have arrived at in the course of this Introduction may prove to be of service in a much wider field. From the Union of 1707 till the area of representation was immensely enlarged in 1832, the spirit of a defunct legislature was never exorcised, the grasp of its lifeless hand was never relaxed, from Scottish public life; and a knowledge of what this influence involved may help us to understand how it was that in the ecclesiastical and in the social sphere intellectual liberality and practical repression were too often combined.

CHAPTER I

SCOTLAND AT WESTMINSTER, 1747-1774

We have seen that the Scottish representatives at Westminster, despite some flashes of independence when the interests of their own country were at stake, had become notorious for their subservience to the Court; and the only political struggle throughout the eighteenth century in which they signally belied their character was that which terminated in the fall of Walpole. Hitherto only a few prominent individuals had ventured to indulge in opposition. The Whig statesmen, who carried their rivalry from the Scottish into the British Parliament, belonged to one or other of two sections—the Old or Revolution Whigs, who had formed the Court party in King William's reign, and the New Party or Squadrone, who had opposed on national grounds the Ministers of both William and Anne, but eventually had concurred in the Union. When the Government formed by George I. at his accession was broken up in 1717, the Old Whig leaders favoured Townshend and Walpole, whilst their rivals inclined to Sunderland and Carteret; and, when Walpole in 1721 became Premier on the disgrace of Sunderland, several Squadrone nobles—the Dukes of Roxburgh and Montrose, the Earls of March-

mont and Stair—set themselves to thwart his measures, such as the Malt Tax and the Excise Bill, and, sooner or later, were deprived of their posts. At the general election of 1734 Walpole succeeded in preventing the return of these malcontents as representative peers; but the loss of Marchmont to the Opposition was more than made good by his twin sons, both of whom entered the House of Commons in this year—Lord Polwarth as member for Berwick-on-Tweed, and Alexander Hume Campbell as member for Berwickshire.

Amongst the impassioned orators, more violent than wise, who hurled their fiery darts at a Government which had been cradled in corruption and was wedded to dishonourable peace, Lord Polwarth won a reputation hardly, if at all, inferior to that of Pitt; and, when in 1740 he succeeded to the peerage of his family without obtaining a seat in the Lords, he left behind him a brother who, in the opinion of Horace Walpole, the Premier's youngest son, was "as troublesome, as violent, and almost as able."[1] Hume Campbell had, however, few followers amongst his countrymen in the House; for, so long as Lord Islay continued to control the Scottish elections as he had done since 1725, the equilibrium of Ministers was not likely to be endangered by any considerable shifting of the "dead Court weight." But the agent, who had served them so effectively, proved unequal to his task in 1741. Whether "the viceroy" was over-matched by his numerous enemies and outgeneralled by his brother, the Duke of Argyll, who had become a violent opponent of Walpole, or whether, as some suspected, he treacherously relaxed his grasp of the corporations, the Government on this occasion lost the greater part of their Scottish phalanx; and mean-

[1] Walpole's *Letters*, i. 117.

while another corps, almost equally numerous and submissive, had been largely diverted to the Opposition as the result of Lord Falmouth's attack on the Cornish boroughs. "Cornwall," wrote a zealous wire-puller[1] to Argyll, "gave the first foundation for any reasonable hopes, and Scotland has brought the work to such a degree of perfection that it would be as criminal to despair of success as it would before have been presumptuous to have expected it."[2] In the new Parliament Walpole fought hard to avert defeat; but the Westminster election was decided against him by a majority of four, and in the case of a double return for Berwickshire, Hume Campbell found so many supporters that his seat was secured without a division. Every available member who could use his own or other legs was present when the House divided on the motion for an inquiry into the conduct of the war with Spain, except three Ministerialists, who lay prostrate in an adjoining chamber and were adroitly locked out. "It was a most shocking sight," wrote Horace Walpole, "to see the sick and dead brought in on both sides"; and conspicuous amongst the Opposition "incurables" was the member for Cromarty, Sir William Gordon, a London banker, who was so swathed in bandages that he looked like a corpse, or, at all events, "like Lazarus at his resurrection."[3] The motion was rejected by three votes; but Walpole was again defeated on an election petition, and in February, 1742, he resigned.

The Government was not very deeply affected by the storm of abuse to which its chief had succumbed. With the concurrence of Pulteney, leader of the Opposition, who claimed a peerage and a seat in the Cabinet, but

[1] Bubb Dodington. [2] Coxe's *Walpole*, iii. 566.
[3] Walpole's *Letters*, i. 120.

refused himself to take office, Lord Wilmington, formerly President of the Council, was placed at the head of the Treasury; and under this respectable cypher the enemies of Walpole consented to unite with his former colleagues. The New Scottish Whigs had cause for congratulation in the choice of their old friend Carteret as Secretary of State; the Marquis of Tweeddale, their hereditary chief, was appointed, by way of curtailing the power of Islay, to the Secretaryship for Scotland, which was then in abeyance and had been filled for only eight years (1731-1739) since the dismissal of Roxburgh in 1725; and several dependents of the Prince of Wales, round whom at Leicester House had centred the opposition to his father's Minister, were admitted to subordinate posts.

On the death of Wilmington in 1743, Pulteney solicited the Premiership which he had unwisely declined in the previous year; but at the instance of Walpole, whose influence was by no means extinct, the position was assigned to his own close adherent, more capable than distinguished, Henry Pelham. Walpole's real successor in the confidence of George II. was, however, neither Wilmington nor Pelham, but Lord Carteret, under whose guidance the Cabinet was induced to provide forces for defending the King's German dominions; and in 1744 "the Hanover-troop Minister," who, in the words of Pitt, was subordinating a great and powerful kingdom to "a despicable electorate," had become so potent at Court and so unpopular in the country that Pelham, timid as he was, insisted on his dismissal. The so-called "broad bottom administration" was then formed, comprising all sections of the Whigs and some Tories, which lasted till the death of Pelham in 1754, and was continued for two years longer under his singularly incompetent

brother, the Duke of Newcastle.[1] Stronger hands were needed to conduct the war, disastrously begun, which was to terminate in the British conquest of Canada, the West Indies and Bengal; but, as Newcastle headed the Whig nobles, had been Secretary of State for over thirty years, and had devoted himself with extraordinary zest to the management of boroughs and official patronage, he possessed immense influence in the House of Commons. Pitt attempted, but failed, to maintain a Government, under the Duke of Devonshire, without this corrupt aid; and in 1757 he formed the ever-memorable Ministry, of which Newcastle as First Lord of the Treasury was the nominal head.

These Cabinet changes were of more interest to Scottish office-seekers than to their countrymen at large. Scottish party distinctions, which had lost much of their significance at the Union, were now almost obliterated through the personal ascendency of one great patron; and the Squadrone, scarce venturing to avow itself a party lest it should be denounced as a faction,[2] had dwindled into a knot of querulous patriots, insanely jealous of Islay, who since the death of his brother in 1743 had been Duke of Argyll. Marchmont seems to have been the most active member of this group, and much of his energy was expended in playing the part of a lean and hungry Cassius to "the sole Minister" who

[1] Newcastle was the Secretary of State who repeatedly addressed despatches "To the Governor of the Island of New England"; and we find him asking Marchmont "whether the county of Berwick was in Scotland or England."—*Marchmont Papers*, i. 103.

[2] Marchmont, in an interview with Pelham, said that ministers talked of parties in Scotland "which I knew not; for instance, where was this squadron? Who were the heads of it? He said he knew no heads of it; but the tails of it made a great bustle and were very violent."—*Marchmont Papers*, i. 255.

bestrode like a Colossus the narrow Scottish world. Argyll was a man of finely cultivated tastes, literary and scientific, whose happiest hours were spent in his noble library, in his woods and gardens stocked with foreign trees and plants, and amongst mechanical inventions which he called his "gimcracks in mathematics"; but, though careless of money, a humorist and a good talker, he had none of the personal attractions—the fine figure, the musical voice, the unstudied eloquence, the open and impetuous temper—which had characterised the late Duke. Horace Walpole describes him as "slovenly in his person, mysterious, not to say with an air of guilt in his deportment"; he was always sapping and mining where his brother had shone as a dashing light horseman; and, though powerful, he was anything but a favourite, at Court. King George "had a most mortal hatred to him, worse than to any man in his dominions"; Newcastle disliked him; Chesterfield was said metaphorically to be "every day knocking at the Duke's head"; and his one sure friend in the Ministry was the Premier, Pelham. His influence had undergone an eclipse, more apparent than real, when Tweeddale was appointed to the Scottish Secretaryship; but Tweeddale and his office alike disappeared during the rebellion of 1745;[1] and Argyll gained so many new allies in Scotland by exerting his influence to shield the vanquished rebels that at the elections of 1747 he re-established his supremacy on a basis which was never again shaken. This stroke of policy gave a fresh opening to the Squadrone, who had always been more zealous Hanoverians than the Old Whigs. Marchmont could see nothing that was not wholly admirable in the severities practised by the Duke

[1] Tweeddale had combined with Carteret in an attempt to supplant Pelham.

of Cumberland; and, in conversation with the King, he was lamenting that the Highlanders did not realise their "infinite obligations" to the man who had harried them with fire and sword, when George cut him short with the remark that "his son did not go there to please them; they naturally would be angry at him." There was, however, some reason to suspect that the Caesar of the north was pandering to Jacobitism in his insatiable lust of power; and Cumberland quite agreed with Marchmont that a man was sure of preferment in Scotland, "whether he was the King's friend or not, if he would go to hell for the Duke of Argyll."[1]

Preferment could, after all, be obtained on less onerous terms. Marchmont in 1747 was made a Lord of Police, but he continued to despair of his country till in 1750 he was permitted to enter Parliament as a representative peer. His brother, if no slower in his conversion, had to wait longer for his reward. Hume Campbell had been Attorney-General to the Prince of Wales till the rebellion of 1745, when he offended both the Prince and the King by opposing the issue of commissions to raise volunteer troops. He somewhat retrieved this step by voting for the Heritable Jurisdictions Bill, and soon after Marchmont had accepted office he consented "to give over his persecution of Mr. Pelham," whom he hated as the friend of Argyll, and devoted himself mainly to his practice at the English Bar. Early in 1756 he was appointed Lord Clerk Register of Scotland; and it was doubtless in anticipation of this lucrative prize that his voice had been raised a few weeks earlier to vindicate the treaties under which Hanover was again to be defended

[1] Marchmont's Diary in *Marchmont Papers*, i. 177, 195, 224, 241, 257, 268; Walpole's *Memoirs of George II.*, i. 276; Carlyle's *Autobiography*, pp. 260, 381, 382.

at British expense. He who had once called Walpole "a tympany of corruption" was now moved to indignation by "the eternal invectives," and said it would be hard "if that House might not resent unjust accusations of our superiors." This speech was aimed at Pitt, and the unlucky word "superiors," the echo of an extinct feudal legislature, drew from that high-spirited statesman the most bitter and venomous of all his retorts. Pitt recalled how he and his former friend had once "trod the same paths of invectives together," exulting in the freedom of parliamentary debate, and he recalled also how in the reign of James I. "a servile lawyer" had craved the punishment of a fellow member who had applied an insulting epithet to the Duke of Buckingham. "But," he continued, turning to Hume Campbell with a gesture of anger and contempt, "I will not dress up this image under a third person; I apply it to him; his is the slavish doctrine; he is the slave; and the shame of this doctrine will stick to him as long as his gown sticks to his back." Whether or not he was "annihilated in the eyes of the world and in his own by Mr. Pitt's philippic,"[1] Hume Campbell took little further part in politics. He died in 1760. Marchmont was appointed Keeper of the Scottish Great Seal in 1764, and retained his seat in the Lords till 1784.

The official career of these twin brothers was confined to Scotland; and, however distinguished as orators, neither of them attained to the position in British politics which was held by James Oswald of Dunnikier. More forcible than eloquent, and never sacrificing solidity to declamation, Oswald displayed such vigour and readiness

[1] Walpole's *George II.*, ii. 107, 108, 112-114. Hume Campbell is placed fourth—after Pitt, Henry Fox and Murray—in Walpole's hierarchy of orators.—*Ibid.* p. 143.

of argument that he had no superior as a master of debate—at all events, in the opinion of Horace Walpole, who says that he "overflowed with a torrent of sense and logic."[1] A favourite in London society, he was greatly esteemed by his countrymen, especially by those of them who were men of letters, and he was accounted—not a very high distinction—"one of the most meritorious and unblemished of our Scottish members."[2] Entering the Commons as member for the Kirkcaldy burghs at the general election which preceded the fall of Walpole, he promised to support that Minister, but voted against him; and the friend who had enlisted him for the Government, and now came to reproach him with his breach of faith, is said to have been greeted thus: "You had like to have led me into a fine error. Did you not tell me that Sir Robert would have the majority?"[3] At the Carteret crisis of 1744 Oswald's capacity for business and his devotion to Argyll procured him a seat at the Navy Board, which he retained till its occupant, three years later, was excluded from Parliament. "It has ever been my opinion and still is," he wrote on this occasion to a friend, "that places ought to be the last part of every negotiation"; but this fine sentiment, which would have done credit to Joseph Surface, was imperilled in practice by an office and a place of residence which led him to cultivate an intimacy he had formed with Bubb Dodington, that fop, wit, scholar, and consummate rogue, who was always "ready to concur if he was properly provided for," and who always insisted on "adjusting places first."[4] Dodington in 1744 had been appointed Treasurer of the Navy; but in 1749, won over by the

[1] Memoirs of *George II.*, i. 59, ii. 146.

[2] Ramsay's *Scotland and Scotsmen*, i. 363.

[3] Walpole's *Letters*, i. 121.

[4] *Marchmont Papers*, i. 86.

Prince of Wales, who offered him a new sinecure at Leicester House and promised on his accession to make him a peer and Secretary of State, he resigned this post, thus deserting Pelham as he had twice deserted Walpole. Influenced by this example, or perhaps merely because he was out of office, Oswald soon waxed mutinous, and finally attacked the naval administration[1] with such vigour that Pelham in February, 1751, offered to make him Comptroller of the Navy, with full power to reform its abuses. Oswald told Dodington that he would much rather attach himself to the Prince, who was more likely to promote a reformation than the present King, but that, as he held no Court appointment, "he must be contented to do his best in the station that was offered him." This hint sufficed, and on February 25 it was arranged that the zealous reformer should enter the Prince's household on that day next month as Clerk of the Green Cloth. On March 20 the Prince died. Dodington, having resigned his place in the Government, had to do without it till Pelham's death. Oswald forfeited the promised preferment, but before the end of the year was appointed a Commissioner of Trade. Too cautious to join as a Lord of the Treasury the short-lived administration of Devonshire and Pitt, he consented to serve in that capacity after Pitt had united with Newcastle.[2]

The most distinguished Scotsman in Parliament during the second half of George II.'s reign and the first half of George III.'s was William Murray, a younger son of Viscount Stormont, who in 1756 became Chief Justice of the King's Bench and Lord Mansfield. Unfortunately for the stigma of disloyalty which still clung to the Scottish nation, Murray belonged to a Jacobite family,

[1] *Parliamentary History*, xiv. 838.

[2] *Memorials of Oswald*, pp. 38, 198, 403, 422; Dodington's *Diary*, pp. 80-83.

and one of his brothers had been the Pretender's Minister. He contended for the palm of eloquence with Pitt and Henry Fox; but, as he represented an English constituency and moved in the highest circle of British politics, his career need not be sketched here. Another Scotsman of note who, as the eldest son of a Scottish peer, was restricted in those days to an English seat, was Lord Dupplin, who in 1758 succeeded to the Earldom of Kinnoul. Dupplin soon distinguished himself as a financier, was employed by Newcastle as his parliamentary manager or "agent of business," and, after refusing the Chancellorship of the Exchequer, consented to take office as Chancellor of the Duchy of Lancaster in the Newcastle-Pitt Ministry.

Lord Marchmont in 1745 had remarked to a friend "what a blow would be given to our country, should the opinion of the general disaffection there prevail, however groundless";[1] and this opinion, fostered by the Duke of Cumberland, was prevalent enough to excite some opposition to a Government which treated Scottish Jacobitism, and treated it very mildly, as a local, not a national disease. There were some who maintained that if every revolt was to bring as much English money into Scotland as had been spent in buying up the heritable jurisdictions and in making good the losses of Glasgow, it would be the interest of that country "to have frequent rebellions"; and the grant to Glasgow, though only £10,000, was cited as an instance of partiality as well as of needless expense, since no other town, Scottish or English, had obtained such relief. Still louder complaints were made when in 1752 an Act was passed to annex to the Crown nearly one half of the forfeited estates, and to free them from encumbrances at an esti-

[1] *Marchmont Papers*, i. 113.

mated cost of £100,000. If these estates, in terms of a statute which must shortly come into force, had been offered for sale, a person commissioned by the owner, who was invariably in collusion with the creditors, would have been able to outbid any independent buyer; and the Act was designed to extinguish the spirit of clanship, not merely by dispossessing the chiefs, but by making the sovereign a great Highand proprietor, whose income as such was to be expended solely in educating and civilising his tenants. It was suspected, however, by the enemies of Argyll that he had devised this scheme with a view to ingratiating himself still further with the Jacobites as manager of their estates. The Duke of Bedford, attacking the project in the Lords as more conducive to jobbery than any public undertaking he had ever heard of, mentioned several persons implicated in the rebellion who had been provided for or promoted in the Excise; and Cumberland, who had indirectly supplied him with these facts, is said to have shown the King a list of sixty Jacobites who had recently obtained preferment.[1]

By the Act of 1747, which abolished the hereditary sheriffs and replaced their delegates by officials responsible to the Crown, it was provided that these sheriffs-depute, as they were called, who were to enter on their duties on March 25, 1748, should hold office "with such continuance as his Majesty shall think fit" for a term of seven years, and thereafter should be appointed for life. The danger of disaffection, in which this clause originated, had apparently lost none of its terrors when the term of probation was about to expire; for in 1755, to the satisfaction of some Scottish members and the chagrin of others, one of whom asserted that there were more

[1] *Parl. Hist.* xiv. 1235-1270; Walpole's *George II.*, i. 256-275.

Jacobites in Middlesex than in the Highlands, it was enacted that the sheriffs should continue on their present footing for a further period, not of seven, but of fifteen, years. This question raised sufficiently broad issues to bring all the great orators into the field, and the plea of public security prevailed with difficulty over the constitutional maxim, affirmed at the Revolution, that judges ought to be independent of the Crown. Pitt spoke with more eloquence than decision, extolling the latter principle, but not unwilling to admit the former; and his speeches afforded little indication of the policy he was to adopt two years later, when as Secretary of State under the Duke of Devonshire he resumed the work, which the rebellion had interrupted, of raising Highland troops, and, on the recommendation of Argyll, assigned the command of one of two regiments to the Master of Lovat.[1]

When these Highlanders were embodied for service in America, the Government had just sent back a force of Hessians and Hanoverians which, under threat of a French invasion, had been hired to fight our battles at home; and this discreditable expedient, recalling the employment of foreign mercenaries for the same purpose in 1746, had given rise to a very general demand that the conscription for home defence, which the regular army, small as it was, had superseded, should be revived. A Militia Bill, introduced by Colonel George Townshend and warmly supported by Pitt, passed the Commons in 1756; but, being distasteful to the King and the Duke of Cumberland, it was thrown out in the Lords, where Lord Hardwicke opposed it as a democratic innovation, and as inimical to those orderly and industrious habits,

[1] *Statutes at Large*, vii. 43, 578; Walpole's *George II.*, ii. 4-9, 14-18; Bisset's *Memoirs of Sir Andrew Mitchell*, i. 89.

in order to promote which the clans had been disarmed.[1] When Pitt came into power the proposal was hopefully renewed; but Pitt had temporarily withdrawn from office with the Duke of Devonshire when in 1757 it became law.

Colonel Townshend, in bringing forward his scheme for the first time, is said to have expressed the hope that some member with the requisite legal knowledge would introduce a similar measure for Scotland. Even the Colonel's success, however, in the following year did not induce anybody to attempt such a task. It may have been a very scandalous thing that Scotsmen should be denied the use of arms whilst their fellow-subjects in England, though much better protected by regular troops, were providing their own defence; but the Scottish people submitted with much indifference to "the greatest indignity that ever was put upon any nation"; and it was not till the beginning of 1760, after a French squadron had threatened the Clyde, that a Bill to extend the militia was proposed. No meetings of freeholders were held till March, and it was remarked that the constituencies allowed two months to elapse without sending instructions to their members. By this time the English militia scheme had disappointed its promoters, for, though highly popular in prospect, it had never been adopted in several counties, and, where the ballot was enforced, had caused serious riots. It is said that only two Scottish members opposed the Bill at its second reading on April 15, but one of these, and a very determined opponent, was the Lord Advocate, Robert Dundas; Argyll was believed to be lukewarm; and the Bill was thrown out by 194 votes to 84. Detriment to rising manufactures was the principal argument put forward

[1] *Parl. Hist.*, xv. 723-739.

in opposition; but Dundas belonged to the Squadrone, having served as Solicitor-General under Tweeddale; and the junto of Tories and play-going Moderates,[1] who were the principal advocates of a Scottish militia, attributed their defeat to the dread of Jacobitism entertained and propagated by this strait-laced Churchman and zealous Whig.

The English Act was to hold good for only five years, and in 1762, when it had almost expired and was likely to be amended and renewed, efforts were made to stir up a fresh agitation in Scotland. Public opinion, no longer apathetic, had in many quarters become hostile. Several counties, including those of Ayr, Fife and Perth, declared in favour of a militia; but Midlothian, West Lothian and Stirlingshire, the towns of Edinburgh, Stirling and Dundee declared against it; and the farmers were all on this side on account of the scarcity of labour. Several writers in the press drew a pathetic picture of Scotland disarmed, "possessed by men defenceless, spiritless, more dejected than women"; but their extravagance provoked retorts in which they were contemptuously described as "our militia patriots," and as "militia-mad."[2]

The Militia Bill was rejected about six months before the death, on October 25, 1760, of George II.; and, as the Scottish Jacobites evinced their reconciliation to the House of Hanover by coming forward to support this measure, it conducts us by a natural transition into the politics of the new reign.

George III., the eldest son of that Frederick, Prince

[1] See chapter iv.

[2] *Scots Magazine*, xxii. 44, 97, xxiii. 8, 53, 161; Militia pamphlets of Carlyle and Ferguson; Smollett's Continuation of Hume's *History*, v. 142-144; Ramsay's *Scotland and Scotsmen*, i. 327-335; Walpole's *George II.*, iii. 280; Omond's *Arniston Memoirs*, p. 165.

of Wales, whose death in 1751 had upset the plans of Dodington and Oswald, was twenty-two years of age when he became King. The widowed Princess, jealous even of his guardians and preceptors, had been careful to keep him unspotted from the world; but she and her confidant, Lord Bute, had been less concerned to educate the cloistered youth, whose natural obstinacy and intolerance were aggravated by his seclusion, than to instil into him their own abhorrence of the "aristocratical faction who kept his grandfather in chains and were determined to make a mere pageant of the throne."[1] Guided by the two persons who had taught him this lesson, George proceeded to put it into practice. The Whigs, in default of less acceptable politicians, might still have their share of office, but it was to be a share only, and they were no longer to be recognised as a political corps, armed in their own defence with the Crown patronage, and led by an accredited chief. In other words, party government, with its attendant corruption, was to be discontinued; the King was to rule as well as to reign; and his Ministers, with no collective responsibility, were to be his agents in administration and his advisers in council. As George was a native prince who gloried "in the name of Britain,"[2] and, as the system he proposed to overthrow had originated at a time when the sovereign was a German elector who could not even speak English, it was quite natural that such a design should be formed; and the moment was favourable; for the Whigs, under the weak leadership of the Pelhams, had fallen into disunion; Pitt, their one man of genius, detested the

[1] Lord Shelburne's "Autobiography" in his *Life* by Fitzmaurice, i. 69.

[2] Not 'Briton.' See Hunt's *Political History of England*, 1760-1801, p. 12. Wilkes made fun of "the royal orthography."—Almon's *Memoirs of Wilkes*, i. 84.

monopoly which limited his choice of colleagues; and the Tories, so long proscribed as Jacobites, were now eager to transfer their adulation of royalty from a Catholic and foreign Pretender to a Protestant and home-bred King. Nevertheless, the Whig position proved so strong, intrenched as it was within so many ramparts of territorial and borough influence, that George was compelled to adopt against its authors the very system which he so strongly condemned. Newcastle had made the usual preparations to ensure his success at the general election of 1761; but he encountered an unexpected antagonist in Bute, who wrested from him the Crown patronage and enlisted wealthy men, without family or local influence, as recruits for the Court against the Ministry;[1] corruption was more rampant than ever; and thus the sovereign, who was to have annihilated party and its abuses, became a party leader and as much of a jobber and borough-monger as Newcastle himself.[2]

"The power of the Crown," wrote Burke in 1770, "almost dead and rotten as Prerogative, has grown up anew, with much more strength and far less odium, under the name of Influence."[3] The process which was in operation during these ten years demands our attention only in so far as it was facilitated or retarded by Scottish politicians; but, in order to provide a framework for the narrative, its progress must be briefly summarised. George III., eager to clear the way for his new scheme

[1] Hunt's *Political History*, p. 19.

[2] The briber was never bribed. Newcastle is said to have reduced his private income from £25,000 to £6000 in the public service, or at all events in the service of his party, and when he resigned office in 1762 he nobly refused a pension.

[3] *Thoughts on the Present Discontents* in Clarendon Press edition of Burke's Works, i. 10.

of administration, was little worse disposed to the Whigs than to their "bloody and expensive war." Newcastle and Pitt being rivals rather than colleagues, Bute succeeded before long in getting rid of both, and on May 29, 1762, he became head of the Government which he had dominated since the King's accession. Within a few months a draft treaty was arranged with France—not so good that it might not easily have been better; stupendous bribery and intimidation were employed to carry the peace and a still more unpopular cider tax through Parliament; and Bute, on emerging, exhausted, disillusioned and detested from "the deepest and dirtiest pits of corruption,"[1] retired from office in April, 1763, on the plea of ill-health. He was succeeded by his adherent, George Grenville, who presided over a mixed Government composed mainly of detached Whigs. This was the Ministry which carried the American Stamp Act and prosecuted Wilkes for libel; but Grenville, zealously as he promoted these high-handed measures, had no idea of being a mere lieutenant of "King's friends"; and King George, after vainly endeavouring to come to terms with Pitt, surrendered at discretion in 1765 to the group of great nobles who had "kept his grandfather in chains." These Janissaries were now led by the Marquis of Rockingham,[2] but Newcastle returned to power, or at all events to jobbery, as Lord Privy Seal. The Rockingham Ministry repealed the Stamp Act and the cider tax; but they were thwarted at every turn by "an Opposition

[1] Burke's *Works*, i. 18.

[2] An estimable man of sporting tastes and no small capacity for business, but "a poor dumb creature" in debate. The king wrote to him on one occasion, "I am much pleased that opposition has forced you to hear your own voice, which I hope will encourage you to stand forth in other debates."—Quoted in Jesse's *Memoirs of the Life and Reign of George the Third*, i. 312.

of new and singular character, an Opposition of placemen and pensioners";[1] and in little more than a year the royal captive regained his freedom, when Pitt, the avowed foe of party, consented at last to form an administration, so motley and heterogeneous that it comprised almost as many sections as members, and was compared to "a piece of diversified mosaic." The architect of this Government was the only man strong enough to prevent it being manipulated by the King; and Pitt, now Earl of Chatham, was soon incapacitated by illness. His colleagues reversed his policy by renewing the quarrel with Wilkes and with the colonies; his representative and successor, the Duke of Grafton, resigned in disgust in 1770; and in the Chancellor of the Exchequer, Lord North, a chief was found who disclaimed even the title of Prime Minister, who was content to be the King's manager, and who had sufficient ability and tact to serve him well. During the next dozen years influence proved an excellent substitute for prerogative, and George ruled in the fullest sense as well as reigned.

The unpopularity of the movement which has just been traced was intensified by the fact that the person who had both inspired and launched it was a Scotsman, and a Scotsman who had clambered, or rather vaulted, into the position of Premier. Britain, glorious as the name seemed to its youthful sovereign, was still far from being a truly united kingdom. The Union of 1707 had been accomplished, not as the culmination of growing friendship, but as a last resource to avert war; and the two nations thus summarily conjoined by their rulers had not forgotten their ancient feud. Whilst Englishmen looked in vain for the complete security they had

[1] Burke's *Short Account of a late Short Administration.*

anticipated from the Union, Scotsmen were supposed to be realising to the full their hopes of personal, if not of national, gain; the Scottish Presbyterian was regarded in England as an enemy to the Church, the Scottish Episcopalian as an enemy to the State; two serious rebellions had confirmed the disrepute of both; and the English people retained a shamefaced recollection of the day when their singularly apathetic spirit had permitted "a mob of ragged Highlanders" to approach within a hundred miles of London. How bitter was the popular feeling aroused by Prince Charles Edward's audacious raid may be seen from a paper published at the close of 1746—one of several which Lord Hardwicke denounced, a few weeks later, as "most wicked and dangerous libels."[1] Pouring forth from a country where bare-legged urchins, dieted on oatmeal, could obtain education " for a groat a quarter," strong in their "pauper pride and native insolence,"[2] and all Jacobites at heart, the Scots were here represented as so successful in exploiting the richer realm that every walk of life was beginning "to abound with their dissonant notes and ragged quality." "Where there is anything to be got you may be sure to find a number of Scotchmen convened like hounds over a carrion or flies in the shambles." Murray, then Solicitor-General, with a brother at the Pretender's Court, was clumsily belaboured under a thin disguise; and we are told that this eloquent lawyer, who, in the opinion of Horace Walpole, "spoke divinely," was so harsh and shrill in utterance that he was called "Orator Strix, or the Caledonian Screecher."[2] In so

[1] *Parl. Hist.*, xiv. 19.

[2] "Old England or the Broadbottom Journal by Argus Centoculi." In a counter-blast from Edinburgh, entitled "The Thistle," Murray and Hume Campbell are mentioned as redeeming the plebeian character of

far as this ill-feeling proceeded from political distrust it pervaded for many years the upper as well as the lower class. We have seen how suspicious was the attitude of Parliament towards Scotland in its proceedings with regard to the forfeited estates and sheriffs-depute; and Lord Shelburne affirmed, from personal observation in 1756, that "all Scotland was enthusiastically devoted to the exiled family, with a very few exceptions."[1]

It was inevitable that the memories of 1746 should be revived by the new departure in politics which signalised the accession of George III.; but Bute hardly waited to be attacked; and by inciting pamphleteers to defame the character and belittle the services of Pitt[2] he provoked the storm which was to drive him from power. Even Walpole at the height of his unpopularity had never been assailed with such virulence as was now employed to vilify, ridicule and lampoon the "insolent all-grasping Scot" who was supposed to be governing England in the spirit of a Highland chief, and whose intimacy with the Princess-Dowager was paraded in its worst construction under the emblems of a petticoat and a jack-boot. Such was his personal danger that he had to hire the protection of a "gang of bruisers"; and once at least, despite the efforts of this bodyguard, he was nearly torn in pieces by the mob. Bute's countrymen shared the odium of their leader. Churchill in caustic verse depicted the gaunt and treeless waste whose denizens, repelled by superior force, had never gained

the English Bar, and as teaching its members both eloquence and logic. The writer consoles himself with the reflection that Scots and Irish, however detested by the men of England, are ever welcome to "the English Fair."

[1] Fitzmaurice's *Shelburne*, i. 50.

[2] Wright's *England under the House of Hanover*, i. 395.

access to the fertile plain till now, with famine as their tutor, they had learned to overrun it by fraud;[1] Wilkes and other writers complained that these immigrants from the frozen north were fattening on a public revenue to which their country contributed not a fortieth part; John Bull was announced as dead—"choked by inadvertently swallowing a thistle"; ravenous Scots were assumed to be everywhere spoiling his goods; Buckingham House, their headquarters, was nicknamed Holyrood House;[2] and pious sufferers did not venture to predict "how long the Lord will afflict the English nation with the plague of locusts." One writer, affecting to be more impartial than his fellows, admitted that the Scots did well in subordinate posts, such as the command of a company or a ship,[3] but maintained that they had no talent for generalship, knew no more than the Hottentots of art, had little or no science, only a smattering of classical knowledge, and in their personal habits were "too filthy for narration." Even the Tories and Court Whigs had no good opinion of their new allies. "Like the generality of Scotch," wrote Shelburne, "Lord Mansfield had no regard to truth whatever"; and Dr. Johnson, a Jacobite and one of Bute's pensioners, constantly

[1] In *The Prophecy of Famine* the Scots fare no better than their country:

> "Consider'd as the refuse of mankind,
> A mass till the last moment left behind,
> Which frugal nature doubted as it lay
> Whether to stamp with life or throw away;
> Which, form'd in haste, was planted in this nook
> But never enter'd in creation's book;
> Branded as traitors who for love of gold
> Would sell their God as once their King they sold."

[2] Walpole's *Letters*, iii. 512.

[3] "Admiral Boscawen used to say that the Scotch were 'good soles' but 'bad upper leather.'—Fitzmaurice's *Shelburne*, p. 92.

alluded to the Scots in terms of dislike and contempt.[1]

The Scottish place-hunter who was accused of poaching on English preserves naturally cited as his warrant the Act of Union; and, when reminded that that measure was by no means a complete incorporation, since it secured to the smaller nation a separate legal and a separate ecclesiastical system, he retorted that at all events London was the political and social capital of Great Britain. "The plague of locusts" was of course a highly rhetorical figure, but Scotsmen "on the English Establishment" were sufficiently numerous and conspicuous to make such a term effective as à weapon of abuse. In 1762 Bute was Prime Minister; Mansfield was Lord Chief Justice; Kinnoul had just retired with Newcastle from the Cabinet; his brother, Hay Drummond, was Archbishop of York; Oswald and Elliot were Lords of the Treasury; Sir Andrew Mitchell, member for the Elgin Burghs, was British Ambassador at Berlin; Colonel Graeme was the Queen's Private Secretary; John Douglas, prominent in political controversy and a future bishop, was a Canon of Windsor; Allan Ramsay was the painter, and Robert Adam the architect, in highest favour at Court. Pelham in 1751, when his Government was accused of putting Scotsmen at a disadvantage in the army, had "said he knew little of military promotions, but could observe from the newspapers that there were at least as many Erskines and Dalrymples preferred as of any English name";[2] and the same conclusion must have been drawn in 1762 by

[1] *A Select Collection of Letters on the Government, Liberty and Constitution of England*, 3 vols. 1763; Wilkes's *North Briton*; Fitzmaurice's *Shelburne*, i. 89.

[2] Walpole's *George II.*, i. 56.

readers of the *Gazette*. Lord Loudoun commanded the British forces in Portugal; General Murray, one of Wolfe's Brigadiers, had succeeded that hero when he fell at the taking of Quebec; Colonel Grant in Florida had just inflicted a severe defeat on the Cherokee Indians; Lord Rollo as second-in-command was reducing the Windward Isles; and in Bengal Major Hector Monro had begun the career of conquest which was to culminate in 1764 at Buxar. In two of these instances a Scottish General was assisted by a Scottish Commodore. The two frigates which brought relief to General Murray and averted the recapture of Quebec were commanded by Lord Colville of Culross; and Sir James Douglas co-operated at sea with Lord Rollo in wresting Dominica from the French.[1]

In our own day a far larger share of political, if not of military, posts has been engrossed by Scotsmen without provoking the slightest ill-will; but in these early years of George III. the two peoples differed almost as much in temper and traditions as in manner of speech; and, in so far as prejudice was responsible for the state of things we are considering, it was a prejudice not without excuse. If the Scotsman as an office-holder was regarded with disfavour in London, the Englishman knew that he himself in that capacity would be equally unpopular in Edinburgh; and it was truly urged that the clannishness of the Scots, their habit of acting for and with each other, was one main cause of the animosity they aroused. "Let but the Scotch," it was said, "mingle among us as they ought, and keep no separate interest, and then

[1] On October 8, 1763, four Scotsmen, including Murray and Grant, were gazetted as colonial governors.—*North Briton*, No. 46. "The marines," wrote Walpole under date 1771, "were almost all Scots. The haughty English were too much at their ease to enlist in that despised service."—*Memoirs of George III.*, iv. 353.

we should be as little jealous of them as we are of any other of our fellow-subjects; but while they hang together and are partial, they provoke us to do the same."[1] It was not, however, mere prejudice that was roused to opposition when the King selected a Scotsman as his chief Minister. Unfriendly critics made too much of the fact that the Scottish heritable jurisdictions were not abolished till 1747, for they had long been obsolete for all but minor purposes in the Lowlands, and in the Highlands, if not wholly unknown, they added nothing to the power of the chiefs; but, unless the views expressed in the Introduction to this work are quite erroneous, the Englishman was amply justified in pointing out that the spirit of baronial power in Scotland had survived its substance, that the political system of that country had no popular basis, and that, so long as its upper class continued to be influenced by ideas which taught them to exalt their own authority and that of the Crown, "constitutional power here in Scottish hands will, with some strong colour of reason, be always dreaded by the English."[2]

This argument may have been suggested to some extent by the concrete example to which it was applied; for no creation of a malicious fancy could have conformed more exactly to the English idea of a Scotsman than the Earl of Bute. The Scots were supposed to be wedded to the high prerogative associated with their native kings; and here was a "mushroom Minister," bearing the odious name of Stuart, who had shot into greatness under the favour of a Court. Bute had served no political apprenticeship, and his sudden elevation could be ascribed neither to birth—for he is said to have been

[1] *Select Collection of Letters*, i. 24.

[2] *Ibid.*, i. 25.

"the youngest Earl but one in all Scotland"[1]—nor to superior merit. In 1737 he had been selected by his uncle, Lord Islay, to fill a vacancy amongst the sixteen representative peers, but proved so obstinate in voting, if not in speaking, against the Government that he was put aside at the general election of 1741, and did not reappear in Parliament till, twenty years later, he took his seat as Secretary of State. He lived for long in seclusion in his ancestral island, studying mathematics and the tragic drama; and this "close monasterial retirement" was supposed to have added reserve and distrust to the natural arrogance of a Scottish grandee, and to have unfitted him "for anything but the tyrannic domain of a Highland clan."[2] In 1750 he became a Lord of the Bedchamber to Frederick Prince of Wales, whose favour he had gained through his proficiency as an actor in private plays and masquerades.[3] Frederick died in 1751, and Bute soon gained a complete ascendency over the mind of the widowed Princess, whatever impression may have been made on her heart by his graceful figure and symmetrical legs.[4] Probably there was no truth in the story of an amorous intrigue, for the favourite's more reputable opponents admitted that his morals were irreproachable, and that "he was in every respect adapted to the small circle of a coal fire."[5] Bute had

[1] Carlyle's *Autobiography*, p. 359.

[2] *History of the late Minority*, 1767, p. 62.

[3] Walpole's *George II.*, i. 47. "The Intendant of balls, the Coryphaeus of plays."—Chesterfield's *Works*, edited by Lord Mahon, ii. 472.

[4] There must have been something remarkable about Bute's legs, as this part of his anatomy impressed both Lord Waldegrave and Walpole. One wonders whether Mr. Meredith may not have taken some hints from this original in drawing his fine portrait of Sir Willoughby Patterne. It will be remembered that a fair critic says of that hero: "You see he has a leg."

[5] *History of the late Minority*, p. 63.

literary and artistic tastes, and was warmly attached to his friends; but he was as vain as he was proud,[1] and his looks of wisdom, his studied air of importance, his pompous manner, his slow and sententious utterance were all suggestive of a man who aspired to a reputation for abilities which he was conscious that he did not possess. George II. had a great contempt for "that puppy, Bute";[2] Prince Frederick remarked, with unusual penetration, "that Bute was a fine showy man who would make an excellent ambassador to a Court where there was no business";[3] and Shelburne—always, however, an ill-natured critic—expressed much the same opinion: "He excelled, as far as I could observe, in managing the interior of a Court."[4]

Bute's conduct as a Minister was no better, and in some respects was much worse, than might have been expected from his character as a man. Not a few of Pitt's colleagues, alarmed by a growing burden of debt, were anxious to bring the war to a close; but Bute surpassed them all, except the Duke of Bedford, in eagerness for peace, and seemed to regard the splendid conquests which were still being announced as mere obstacles in his path. He gave up Martinique without compensation; only the firmness of George Grenville prevailed upon him to extort the poor exchange of Florida for Havanah; and he took advantage of Grenville's absence from a Cabinet meeting to procure the surrender of Guadaloupe. Public opinion was as little regarded in his choice of friends as in his negotiations for peace. His most trusted political advisers were

[1] "An insatiable vanity," wrote Carlyle; "always upon stilts," wrote Shelburne.

[2] Walpole's *George II.*, ii. 256.

[3] Waldegrave's *Memoirs*, p. 38.

[4] Fitzmaurice's *Shelburne*, i. 140.

believed to be Sir Henry Erskine and John Home, a Scottish military officer and a Scottish poet; Henry Fox and Bubb Dodington, the two least reputable of prominent politicians, were both enlisted in his service; he ostentatiously befriended Lord George Sackville, who had been cashiered from the army for cowardice at Minden; and he selected as his Chancellor of the Exchequer Sir Francis Dashwood, "a man to whom a sum of five figures was an impenetrable secret."[1] The cider tax, which revived Walpole's detested excise, is said to have been introduced because Dashwood could not be made to understand a proposed tax on linen.[2]

Crude diplomacy and glaring indiscretions were perhaps to be expected from the Court Chamberlain turned statesman; but the new sovereign was to have extinguished party and corruption; and it could hardly have been anticipated that his first Ministry would prove more corrupt and more acutely partisan than even that of Walpole. Bute's device for emancipating the King from party was to give him a party of his own; and it cost much more to make George III. a Tory leader than it had ever cost to keep his grandfather in Whig chains. Sinecures were multiplied at Court; sixteen peers were created in two years; wasteful private loans were raised; Fox earned a coronet by converting the Pay Office into a mart for votes; and the politicians who persisted in opposition were treated with the utmost rigour. Nobles were deprived of their lord-lieutenancies; even clerks and excisemen were turned out; and it was pleasantly said that Bute had dismissed everybody who owed his place to Whig influence except the King himself. The exhausted statesman was consoled for his exertions by a profusion of rewards. Though his wife had lately

[1] *History of the late Minority*, p. 64. [2] Fitzmaurice's *Shelburne*, i. p. 186.

inherited an immense fortune, he accepted the Rangership of Richmond Park; pensions, or polite apologies for pensions, were bestowed on his son, his sister, his brother, his half-brother, his three brothers-in-law; and all his dependents were amply provided for at the public expense.

Bute had little or none of the *perfervidium ingenium Scotorum*, but that quality was all too conspicuous in the writer whom he retained as his leading counsel in the press. On May 29, 1762, the day on which Bute succeeded Newcastle as First Lord of the Treasury, appeared *The Briton*, a weekly paper which was soon known to be the work of a man so distinguished in the world of letters as Tobias Smollett. The first and second numbers were fairly moderate in tone; but on June 5 Wilkes started an opposition journal, which he ironically called *The North Briton;* and Smollett, indignant at the ridicule of his country, at once threw discretion to the winds. Wilkes was his friend, for whom he had recently professed the "warmest regard, affection and attachment";[1] but that light-hearted demagogue, who never fingered a bribe, was denounced as "the hired voluntary instrument of sedition," a caitiff swollen with perfidy, hatred and revenge, who had forfeited the protection of the law, and did "not deserve to breathe the free air of heaven." Smollett had dedicated his *History of England* to Pitt, as a tribute to his "shining qualities," his integrity, his zeal for liberty and the constitution; but Pitt was now "the great methodist of mock patriotism," a man "who changed his party as often as he changed his clothes, who pocketed the reward of patriotism, and then openly received the wages of a Court." The foulest shafts of scurrility were, however, reserved for

[1] Almon's *Correspondence of Wilkes*, i. 50.

the late Premier, whose methods of corruption were at that moment being imitated and far surpassed by Fox, with this difference, that, whilst Newcastle had lost a fortune in public life, Fox had amassed one. The old Duke of Newcastle, who had just declined a pension, was derided as "the shameless broker of venality, the ludicrous ape of politics"; and the writer imagined him "conveyed through the streets upon an ass, his face turned to the tail, with a cap and bells upon his head, a slavering bib under his chin and a rattle in his hand." *The Briton* died of inanition on February 12, 1763.

We have seen that Bute retired from office in April, 1763. He continued for long to haunt the imagination of his enemies as the evil genius of the Court; but in reality his influence came to an end with the dismissal of the Grenville Ministry in 1765. During these two years, however, he was frequently consulted by the King, and Scottish affairs were conducted according to his parting intimation that they were "to go under the care of my brother as they did under my late uncle."[1] On the death of Argyll in 1761, James Stuart Mackenzie had been recalled from Turin, where he had served for three years as British Minister, to undertake the management of Scotland; but he was employed for some time in negotiating the Peace, and it was not till shortly before Bute's resignation, when he was appointed Keeper of the Privy Seal, that he applied himself seriously to his Scottish post. A diplomatist, who saw much of the two brothers, has given a very favourable account of both; and as the younger seems to have been universally esteemed, there was probably much truth in the description of him as a clear-headed and singularly honourable man, charitable and generous, as affable as he was

[1] *Caldwell Papers*, 1733-1764, p. 175.

dignified, who devoted his leisure to the study of science —"his greatest pleasure to do good, his greatest care to conceal it."[1] Mackenzie had no great liking for the jobbery which was euphemistically called business, and his published letters are remarkable for their upright and masterful spirit. Carlyle thought him wanting in talent as well as in inclination,[2] and the underlings at Edinburgh were no doubt of that opinion, when he addressed to them such unfamiliar language as this: "I did not want to create a place for the man, but to find a man well qualified for the office." On another occasion we find him writing with regard to the Chair vacated by Adam Smith in the University of Glasgow: "I have but a single wish that the properest person may be placed in it; that done, I care not one farthing what his name and surname is." Accordingly, the person recommended by the College was passed over as "knowing no more of Smith's branch than he does of the secrets of State," and the Chair was assigned to Thomas Reid.[3] When Grenville and his colleagues had revolted against the paternal supervision of Bute, they sought to disarm his Scottish phalanx, and insisted that his brother should be dismissed, not only from political management, but even from his tenure of the Privy Seal, which had been given to him for life; and to this the King most reluctantly agreed. Mackenzie's sinecure was, however, restored to him in 1766.

From the year 1765, when the Bute influence was finally eliminated both from the secret counsels of the sovereign and from the public life of Scotland, to the appointment of Henry Dundas as Lord Advocate in 1775,

[1] Duten's *Memoirs of a Traveller now in Retirement*, i. 165.

[2] *Autobiography*, p. 414.

[3] *Caldwell Papers*, 1733-1764, pp. 189, 232, 241.

there was no statesman, Scottish by position as well as by birth, whose career was of sufficient importance to link the history of his country with that of Great Britain. "As to the business of Scotland," wrote Mackenzie from London in announcing his dismissal, "I suppose they will manage it in the several departments here, under which each branch falls."[1] It was apparently in some such subordinate fashion that affairs were conducted by Lord Advocate Miller, and by his successor, Montgomery. It will probably suffice to indicate very briefly the part played by Scottish politicians at Westminster during these ten years.

Two of the Scottish members at this period were men of considerable note. We have seen that Oswald had joined the Newcastle-Pitt administration as a Lord of the Treasury; but this post, which he retained as the confidant of Bute, was to be the limit of his progress towards Cabinet rank. When the Government was to be reconstituted in view of Bute's intended resignation, Fox recommended "with the greatest confidence" that Oswald should succeed Dashwood as Chancellor of the Exchequer, and should be selected to lead the Commons. "His abilities are so great, and so well known to be so, that nobody will think he was made because he was a Scotchman." A week later, after he himself had declined the Premiership, Fox most reluctantly concurred in Bute's desire that the Treasury and Exchequer should be assigned to George Grenville, and advised that Oswald should be appointed President of the Board of Trade.[2] This suggestion, however, proved equally fruitless, and in May, 1763, Oswald had to content himself with the lucrative but nominal office of Joint Vice-

[1] *Caldwell Papers*, 1765-1821, p. 35.
[2] Fitzmaurice's *Shelburne*, i. 190, 197.

Treasurer of Ireland. An offer of the Exchequer, after North had temporarily refused it, was reported to have been made to him in 1767 by Chatham.[1] In 1768 he was compelled by ill-health to retire from Parliament, and he died in the following year.

A man of almost equal ability was Sir Gilbert Elliot, father of the first Earl of Minto. Entering Parliament as member for Selkirkshire in 1754, he was appointed a Lord of the Admiralty in 1756, and, five years later, joined Oswald at the Treasury Board. This post was procured for him by Bute, then merely Groom of the Stole, whom he endeavoured unsuccessfully to reconcile with his own former chief, Pitt.[2] To Bute, when in office, Elliot was sufficiently faithful; but his jealousy was excited when he found that the ex-Premier "will hardly be contented with the retreat he chose";[3] and, however little he may have acquired of Bute's influence, he became at least the King's confidant and tool. Such was his position in the Commons that Horace Walpole referred to his Scottish birth as disqualifying him for leading the House;[4] but that honour would have been ill bestowed on the accomplished Baronet, a philosopher and a poet as well as a master of debate, who made it his principal business to subordinate Parliament to the Court. Placemen and pensioners, anxious to know whether His Majesty's Government was to be supported or opposed, looked to Elliot as their guide; and he was frequently employed in this capacity to humiliate even so subservient a Minister as Lord North.[5] Too familiar with the palace back-stairs to receive a higher office than

[1] *Grenville Correspondence*, iv. 214. [2] Walpole's *George III.*, iv. 367.
[3] *Caldwell Papers*, 1733-1764, p. 196.
[4] *Bedford Correspondence*, iii. xxxiii.
[5] See Walpole's *Letters*, v. 436, 438, and *Chatham Correspondence*, iv. 122.

that—a very lucrative one—of Treasurer of the Navy, he had more than his share of those apologies for salary which were the object of his ambition. As Treasurer of the Chambers and Keeper of the Scottish Signet he enjoyed more than £4000 a year; and his son was a captain on half-pay at the precocious age of ten.[1] There was nothing offensive to Scottish politicians in this illiberal and not very dignified career; but Elliot was reputed arrogant and selfish, and, unlike Oswald, was not popular with his countrymen.

A Scottish Premier, obnoxious as such to the English public, could not fail to win the sympathy of his countrymen in Parliament; and, luckily for Bute, his uncle, the Duke of Argyll, who had so long managed Scotland for the Whigs, died only five months after the accession of George III.; but the training of the Scottish members had so exactly fitted them to serve as "King's friends" that they must in any case have found their way into that corps. Each of the sixteen peers was understood to draw a pension; and the spokesmen of the militia agitation, which had not yet died down, were more frank than respectful in their allusions to the forty-five Commons. Carlyle argued that the freeholders need be restrained by no personal motives from calling their representatives to account, since, "had they any favours to ask for their sons or nephews, surely the very worst suitors they could employ are those dependent men, whose sole end in parliament is to obtain posts and provisions for themselves";[2] and a writer in the *Edinburgh Courant* of January 13, 1762, lamented that nobody took the trouble to inquire whether the Scotsmen at Westminster were fulfilling their duty to the nation "or

[1] *North Briton*, March 29, 1763.

[2] *Question relating to a Scots Militia considered*, p. 33.

whether they are gone like our drovers to sell their votes as the others do their cattle."

Bute's capture of the Scottish representation was not, however, complete. When the Preliminaries of Peace came before Parliament in December, 1762, many of the Whigs feigned sickness or went out of town; but in the small minority which ventured to divide the House of Commons we find four Scottish members—Sir Alexander Gilmour, Midlothian; Daniel Campbell, Lanarkshire; James Murray, Wigtownshire; George Dempster, Forfar Burghs; and the second of these acted as teller with that reviler of his country, John Wilkes.[1] For their votes on this occasion the four members seem to have been called to account by their constituents. At all events, "instructions" were drawn up, censuring their factious conduct and admonishing them to concur in any measures that might be proposed "for deterring bad men from further attempts to weaken the sense of subordination among the people and the respect due to good government and order." With the exception of Campbell, who had not yet reached London, they did concur in one such measure at the opening of the following session; for they voted with the Government against the motion of Pitt to omit the word "traitorous" from the resolution condemning No. 45 of the *North Briton*.[2] Apart, however, from this incident, "the scabby sheep," as Mackenzie called them, could be neither coaxed nor driven into the Tory fold. Campbell had not lowered his Whig colours when he was unseated at the general election of 1768, and Murray, for anything that appears

[1] *History of the late Minority*, pp. 85-88.

[2] The famous number in which Wilkes denounced the allusion to the Peace in the King's speech as "the most abandoned instance of ministerial effrontery ever attempted to be imposed on mankind."

to the contrary, may have been equally constant. Gilmour was an adherent of Newcastle, Dempster of Shelburne; and both of them supported the Rockingham Ministry in its effort to conciliate the colonies, whilst Lord Advocate Miller, with the Scottish phalanx at his back, was violently hostile.[1] John Dalrymple, author of a well-known historical compilation, attempted in 1768 to win over the "first county of Scotland to the interests of his Majesty." Gilmour retained his seat; but at the next general election in 1774 "the very best of kings" obtained a long, though uneasy, lease of Midlothian through the return of Henry Dundas.[2]

[1] Ramsay's *Scotland and Scotsmen*, i. 345. The Stamp Act was repealed in February, 1766, and a week or two later Miller, having gratified the King by opposing the King's Ministers, was appointed Lord Justice-Clerk.

[2] *Caldwell Papers*, 1733-1764, pp. 194, 197-201, 283; 1765-1821, p. 96.

CHAPTER II.

THE AMERICAN WAR, 1775-1783

At the period we have reached the controversy, which for ten years had been in progress between Great Britain and her Transatlantic settlements, was on the point of developing into war. George Grenville had irritated the Americans by enforcing the obsolete regulations which secured to the home market a partial monopoly of their commerce; and, as the various colonies, which British soldiers had just rescued from the horrors of Indian warfare, showed no disposition to provide for their own defence, he had proposed to place in their midst a small body of Imperial troops, and to collect from them in the shape of stamp duties about one-third of the cost. The Stamp Act was passed in 1765. It was fiercely resisted on the plea, not wholly relevant, that it entailed taxation without representation, and Rockingham in the following year procured its repeal. The spirit of disaffection was, however, by no means allayed; and, in order to strengthen the executive, it was resolved that the governors and judges, who had hitherto been dependent for their pay on the votes of colonial assemblies, should receive salaries from the Crown. For this purpose Parliament in 1767 exercised its admitted right to impose customs

duties at the American ports; but the new imposts, being intended to raise a revenue and not to regulate trade, were little less unpopular than the stamp tax, and all of them were soon repealed, except, as a bare assertion of right, the duty on tea—only a fourth of that which had formerly been levied as an export duty in England. At the close of 1773, when several tea ships freighted by the East India Company arrived at Boston, their cargoes were thrown overboard; and the punitive measures adopted in consequence of this outrage were the immediate cause of the war which broke out in the spring of 1775.

The issue at stake in this controversy was obviously one which concerned the people rather than the Government of Great Britain; but George III., though he claimed to be "fighting the battle of the legislature,"[1] had revived the memories of personal rule; and the attempt of an autocratic sovereign and a venal Parliament to uphold Imperial authority in America were discredited to some extent by their encroachments on liberty at home. When Wilkes in 1763, assuming the King's Speech to be the composition of his Ministers, attacked it in the press, the Commons took upon themselves to pronounce his paper a seditious libel, expelled him from the House, and even curtailed their privileges in order to bring him within reach of the criminal law. In 1764 there were more prosecutions of printers than in all the thirty-three years of the preceding reign.[2] In 1768, when Wilkes was elected and thrice re-elected as one of the members for Middlesex, the Commons first expelled him, then, contrary to law, disqualified him, and finally adjudged the seat to his opponent who had

[1] *Correspondence of George III. with Lord North*, i. 267.
[2] Lecky's *History of England*, cabinet edition, iii. 257.

been left in a small minority at the poll. The general election of this year was even more scandalously corrupt than that which Bute had managed in 1761, and the pains taken by both Houses to prevent the publication of their debates earned for them the name of "the unreported Parliament." Such proceedings gave some colour to the contention of the Whigs that the quarrel with the colonies was not so much a conflict of legislatures as a contest between prerogative and popular right. Chatham declared that, if America were subdued, she would, like another Samson, drag down the constitution in her grasp. "If England prevails," wrote Horace Walpole, "English and American liberty is at an end."

Scotland knew too little of liberty to be much concerned at the prospect of losing it, and the policy of coercing the colonies had no more uncompromising supporters than the two Scotsmen who at this period were mounting by way of the law to political eminence.

Alexander Wedderburn had already begun to eat dinners at the Inner Temple when he passed advocate in 1754. His earliest triumphs were won, not in the Parliament House, but as a debater in the General Assembly, which in those days had little to learn from the House of Commons either as a school of oratory or as an instrument of repression; and in 1757, after a violent quarrel in court with a brother counsel, he quitted Edinburgh and was called to the English Bar. His first and most laborious task in London was to get rid of his Scottish accent. If the vain and haughty Bute had embodied for Englishmen their idea of a Scottish grandee, Wedderburn, shrewd, pushing, audacious, constant to no interest but his own, was to furnish an unfortunate illustration of qualities in which his countrymen were

believed to "surpass all nations upon earth."[1] As his sister had married Sir Henry Erskine, one of Bute's particular friends, he came into notice on the accession of George III., was appointed a King's Counsel, and entered Parliament, where he sat for several years as a Scottish member. His support of the Tory Government lacked nothing in vigour; but he soon perceived that the road to office might be shortened if he proved his ability to embarrass as well as to serve the Court; and, shortly after Bute's influence had come to an end with the dismissal of George Grenville, he went into violent opposition, defending the Americans as strongly as he had ever spoken against them, denouncing the pretensions of the Commons to incapacitate Wilkes, addressing meetings in favour of parliamentary reform, and, in reward of his exertions, being entertained to dinner by the Whig chiefs. Wedderburn was to resume in later years his part of "occasional patriot"; but his first appearance in that character terminated in January, 1771, when he joined as Solicitor-General what he had been pleased to call the "wicked administration" of Lord North. His wonted assurance is said to have quite deserted him when he took his seat for the first time on the Treasury Bench. North owed much to the two law officers between whom he sat and sometimes slept, for Thurlow, the Attorney-General, was as blunt, powerful and overbearing[2] as Wedderburn was keen, insinuating and adroit. They have been called the Ajax and the Ulysses of debate, and, perhaps with equal justice, the Moloch and the Belial of their profession.[3]

[1] *Select Collection of Letters*, 1763, ii. 161.

[2] "His gait was that of an elephant—his voice that of a lion reft of his prey." Lord Albemarle in *Memoirs of Rockingham*, ii. 448.

[3] Campbell's *Lives of the Lord Chancellors*, vol. vi.; Trevelyan's *Early History of Charles James Fox, passim*; Lecky, iv. 465.

Robert Dundas, who as Lord Advocate in 1760 had successfully opposed the Scottish Militia Bill, was now Lord President of the Court of Session. His father had married twice; and the Henry Dundas, whom Midlothian returned to Parliament in 1774, being a son of the second marriage, was his half-brother. Henry Dundas was born, nine years later than Wedderburn, in 1742. The two statesmen had received their early education in the same country school; both had gained distinction, on the Moderate or anti-popular side, in the General Assembly; and both won their way in politics by making themselves obnoxious to the Court. As Dundas was Solicitor-General when he entered Parliament and within a few months was appointed Lord Advocate, he could not, like Wedderburn, identify himself with the Opposition; but he showed his independence in a manner more congenial to a Scotsman, or at all events to a Scottish politician, by outdoing the Government in administrative vigour.

Lord North had to face a mutiny of his followers when, on February 20, 1775, he attempted to avert war by proposing to exempt from internal taxation any colony which should provide, to the satisfaction of Parliament, for administration and Imperial defence. Dundas, in his first reported speech, opposed this motion "in very strong terms," and he probably voted against it, even after the Tory pack, which North made six vain attempts to appease, had been brought to heel by that spokesman of royalty, Sir Gilbert Elliot.[1] A fortnight later, when the Opposition were denouncing a Bill for excluding the New Englanders from the Newfoundland fisheries as calculated to make them either starve or rebel, Dundas said, "As to the famine which was so pathetically lamented, he was afraid it would not be produced by

[1] *Parl. Hist.*, xviii. 332; Jesse, ii. 81-82.

this Act." A word which he coined in the course of this debate earned for him the nickname of "Starvation Dundas"; and Horace Walpole, reflecting on Caledonian poverty, supposed him to be of opinion "that the devil of rebellion could be expelled only by fasting, though that never drove him out of Scotland."[1] The devil in question might have proved less difficult to exorcise if Walpole's political friends had desisted, when war broke out, from their open advocacy of the American cause; but, when Dundas taxed them with this fault, he was fiercely assailed by Charles Fox,[2] who said that such a rebuke came very ill from the man who had referred to the Americans as "Hancock[3] and his crew," and "whose inflammatory harangues had led the nation step by step from violence to violence." On the death of Elliot in 1777, the Lord Advocate succeeded him as Joint-Keeper of the Signet; but the courtier's temper was not transmitted with his office. On February 17, 1778, after the news had arrived of General Burgoyne's capitulation at Saratoga, North introduced two Bills which practically removed every grievance of which the colonists had complained. Dundas opposed, or at least ridiculed, this concession in "a strong and sensible speech," and paid an ironical compliment to the Minister by admitting his sincerity, since "no man of the rank, fortune and independence of Lord North could stoop to contradict all his words and actions from any motive but

[1] Walpole's *Letters*, viii. 30; *The Rolliad*, edition 1812, p. 12; *Parl. Hist.*, xviii. 387. *Starvation* is said to have been one of the first words to be formed by combining an English verb and a Latin termination. As Dundas on a subsequent occasion called it "a provincial word," it was apparently current in Scotland.

[2] Charles James Fox, renouncing the Tory politics of his father, had joined the Opposition in 1774.

[3] President of the Congress.

conviction."[1] A week later, King George wrote thus to his harassed Premier: "The more I think of the conduct of the Advocate of Scotland, the more I am incensed against him. More favours have been heaped on the shoulders of that man than ever were bestowed on any Scotch lawyer; and he seems studiously to embrace an opportunity to create difficulty. But men of talents, when not accompanied with integrity, are pests instead of blessings to society, and true wisdom ought to crush them rather than nourish them."[2] The contents of this letter were apparently made known to Dundas; for on March 2 we find him asserting in the House that colonial taxation had been found to be impracticable, and that if America could not be subdued by force, "we must mix with our measures something that may lead to conciliation."[3] The "man of talents," having thus proved his integrity by unsaying his own words, was soon welcomed as a "blessing" at Court. On April 21, 1779, in suggesting to Lord North various means of strengthening his position, George recommended that "the Lord Advocate be gained to attend the whole session and brave the Parliament";[4] and the success of Dundas in gaining the confidence of the King is evident from words spoken by Burke a week or two

[1] Walpole's *Last Journals*, ii. 211. Mr. Omond in his *Lord Advocates of Scotland*, ii. 89, followed by the writer on Dundas in the *Dictionary of National Biography*, says that Dundas supported against the Government a motion of Mr. Powys to insert a clause in the Conciliation Bills repealing the Massachusetts charter; but Powys's motion was not to repeal the charter, but to rescind the Act which had repealed it, and the *Parliamentary History* does not report any speech of Dundas on this question. We know only from Walpole that he spoke against the Conciliation Bills.

[2] *Correspondence*, ii. 139. [3] *Parl. Hist.*, xix. 803.

[4] *Correspondence*, ii. 245. If Sir Henry Craik had had a fuller knowledge of this incident, he would hardly have cited it as proof that "the crushing process would not do with Dundas."—*A Century of Scottish History*, ii. 99.

later: "Ministers were obliged to the learned gentleman, who, particularly when another learned gentleman [the Attorney-General] was absent, answered the end of a courier and announced the real intentions of his friends in high office."[1]

The political bias of Scotland, as revealed by its foremost politicians, is no less apparent when we turn from the Lower to the Upper House. That profound jurist and consummate orator who, since 1756 had been Chief Justice of the King's Bench, may be held to justify the remark which his career suggested to Dr. Johnson, that "much may be made of a Scotchman if he be caught young"; but Lord Mansfield, though he had resided in England since as a boy of thirteen he was sent to Westminster School, retained certain characteristics indicative of his northern birth. He succeeded as completely as Wedderburn in getting rid of his native accent; but there were, it seems, one or two words which he never learned to pronounce correctly, and, according to Lord Shelburne, he "always spoke in a feigned voice like Leone the Jew singer."[2] The opinions of the statesman, and even of the judge, were, however, considered to be more suggestive of Scotland than the orator's "silver-tongue." Horace Walpole voiced the sentiment of his party when he referred to "that high-priest of despotism";[3] the House of Commons was at no loss to interpret "a beautiful simile," in which a member "described the tree of prerogative with the wily serpent winding up it, and offering the fruit to the house of Brunswick";[4] and Junius, attacking Mansfield, with much greater virulence

[1] *Parl. Hist.*, xx. 757.

[2] Fitzmaurice's *Shelburne*, i. 87; Campbell's *Lives of the Chief Justices*, iii. 308, 313.

[3] *Last Journals*, i. 31.

[4] *Ibid.*, p. 57.

than Wilkes had shown against Bute, as one who had abjured the Stewarts but not their maxims of government, addressed him thus: "I see through your whole life one uniform plan to enlarge the power of the Crown at the expense of the liberty of the subject." In proof of such assertions, his enemies could point to the fact that he was bitterly hostile to America, that he defended the incapacitation of Wilkes, that he restricted to its narrowest limits the function of the jury in cases of libel; and Ramsay of Ochtertyre was of opinion that the Court of Session would soon have put an end to the faggot-voter in Scottish counties, if the House of Lords under Mansfield's guidance had not constantly reversed their decisions.[1]

In the Lords as in the Commons coercion derived its steadiest support from North Britain; and Lord Rockingham was moved to mirth by an anonymous American correspondent, who supposed that the representatives of a country which had not been disfranchised on account of Jacobite revolts, would naturally oppose the punishment of Massachusetts for the Boston tea-riot, and, amongst the advocates of conciliation, had "great pleasure in counting sixty-one members of Parliament representing the Peers and Commons of Scotland."[2] Viscount Stormont, Lord Mansfield's nephew, and the Earl of Marchmont, his intimate friend, were almost the only Scottish peers who ventured to assist the Government with their voices as well as with their votes. The former was long an ambassador at foreign Courts; but his career in that capacity terminated with his return from Paris on the outbreak of war with France in 1778, and, a year later, he became Secretary of State. March-

[1] *Scotland and Scotsmen*, i. 341.

[2] Lord Albemarle's *Memoirs of Rockingham*, ii. 251-254.

mont's intimacy with Mansfield dated from the time when they had both enjoyed the friendship of Bolingbroke and Pope. As he had been "adopted into the Court"[1] as early as 1750, the accession of George III. found him fully qualified to be a "King's friend." Chatham evinced great contempt for the subservient peer who had been his comrade in far-off days when the names of Pitt and Lord Polwarth were a terror to Walpole. When Marchmont in 1770 proposed that certain words of his old rival reflecting on the independence of the House of Lords should be taken down, Chatham himself seconded the motion, and said, "If any noble Lord were to ask me whether I thought there was much corruption in both Houses of Parliament, I would laugh in his face and tell him he knew there was."[2]

The temper of the Scottish representative peers[3] can excite no surprise when we remember that their election was a mere form, and that they owed their seats rather to the authority than to the influence of the Crown. The practice of circulating amongst the friends of Government a list of the peers whom it recommended for election had been in use since the Union, and in 1734, when employed to exclude the Squadrone nobles whom Walpole had deprived of their posts, was loudly complained of in the House of Lords. This was a party protest; but soon after the accession of George III. the interference of Government assumed so gross and so irritating a shape that efforts were made to resist it on purely constitutional grounds. So long as the third Duke of Argyll or his nephew, Lord Bute, was in power, the nomination of the

[1] Walpole's *George II.*, i. 293. [2] *Grenville Papers*, iv. 509-515.

[3] "With ev'ry change prepar'd to change their note,
With ev'ry government prepar'd to vote,
Save when, perhaps, on some important bill,
They know, by second sight, the royal will."—*The Rolliad.*

sixteen, however humiliating to their order, was at least conducted by one of themselves; but nobody succeeded Bute as manager of Scotland when he finally retired in 1765; and the Scottish nobility, in the words of an indignant pamphleteer, were then expected to yield obedience to "a letter issued from a public office, written by a clerk, and signed by a *pro tempore* Minister." At the general election of 1768, the first to take place under the new conditions, the Earl of Buchan, who had offered himself in the newspapers as an independent candidate, complained that a list of sixteen, "called by the most sacred name of the King's List," had been framed by Ministers long before the election, had been shown to several peers, and its contents made known to others. Far from concurring in this protest, the other lords resolved, *nemine contradicente*, that they had never heard of such a list or of any attempts to influence their choice. If they were at all sincere in this emphatic disclaimer, they soon had grounds for altering their opinion. The title of Viscount Irvine, one of the peers elected on this occasion, was the only thing that connected him with Scotland; and, when a vacancy occurred two years later, the Government put forward the Earl of Dysart, another titular peer. Finding that Dysart would be strongly opposed, they withdrew his name, and, passing over Breadalbane, who had been suggested for their approval, substituted that of Stair. On the day of election, 1771, an eloquent pamphlet,[1] inciting the peers to emancipate themselves "from shameful bondage," was hawked about the streets of Edinburgh and eagerly bought up. Stair received twenty-seven votes, and Breadalbane seventeen; but Selkirk protested that the latter ought to have been returned, since the

[1] *Scots Magazine*, xxxii. 635.

Ministry had issued circular letters in favour of his rival; and to this protest as many as twelve peers adhered.

If Lord North had been better acquainted with Stair, he would not have been so anxious to procure him a seat in the Lords; for that "honest Scot," as Walpole calls him,[1] proved to be quite "enthusiastic in the cause of America." Honest indeed he must have been, for he opposed all coercive measures, and yet, when thanked for his services by the agent for Massachusetts, told that official that the colonists had been guilty of "great and repeated provocations."[2] At the next general election, that of 1774, he forfeited his seat; and the house of Stair made no further appearance in Parliament till in 1790 an independent father had given place to a courtly son.

The protest of 1768 had so little effect in checking the dictation of Ministers that in 1774 they threw off all disguise. Hitherto their list had been sent only to peers on whom they could rely, but it was now sent to all. Lord Selkirk, who had been knocked up at midnight to receive a copy of the missive—unwelcome in itself, and the more so as it apprised him of his brother-in-law's death[3]—was naturally indignant. Addressing his fellow-electors, to each of whom had been posted another excellent pamphlet,[4] he proposed, since protests

[1] *Last Journals*, ii. 23. [2] Douglas's *Peerage*, ii. 534.

[3] The Earl of Morton, brother-in-law of Selkirk, and the Duke of Athol, whose names were in the list, died before the election, and another list was therefore issued. The Duke of Buccleuch expressed so strongly his resentment of the first list that they did not venture to send him the second. It was usual for the Secretary of State to make some pretence of consulting the Scottish peers resident in London, as thus: "On conferring with some of your Lordship's brethren, they approve of the sixteen in the enclosed list."

[4] *Scots Magazine*, xxxvi. 561. The writer showed very forcibly what weight and dignity would accrue to the whole Scottish peerage if its

were of no avail, that they should petition the King; and in a most spirited speech he warmly attacked the Government, remarking that they had hitherto had the decency "to conceal their iniquitous practices, . . . but now with barefaced impudence they send their insolent nomination indiscriminately to every peer." The Duke of Buccleuch and several other nobles testified their displeasure, but Selkirk's proposal was seconded only by the Earl of Haddington.

Lord North was still in power when Parliament was dissolved in 1780, but on that occasion no circular letter was issued—a fact for which the Earl of Buchan took some credit to himself, as he had caused it to be known that if any Secretary of State dared to write to him on the subject he "would come to London and endeavour to chastise him." This eccentric and vain-glorious man, who was always posing for the admiration of posterity, had a sincere regard for the honour of his country and his order, and it would have been well for the Scottish aristocracy if more of them had been animated by his bold and independent spirit. Though the Government had departed from its recent innovation of a general circular letter, its influence was unshaken ; and Buchan, despairing of a free election, proposed that the peers should sit by rotation according to rank and precedence, except that any peer who happened to be a Cabinet Minister should always be one of the sixteen. As he was not permitted to expound this scheme to the electors in 1780, he published it in the newspapers. On the occurrence of a vacancy in 1782, he advertised himself as a candidate, and wrote to Lord Shelburne, then Secretary of State, desiring no "more from you as a

representatives were freely elected. The number of peers, 153 at the Union, had dwindled to 88.—*Ibid.*, xlii. 573.

Minister than that you would suffer me to depend upon the uninfluenced opinion of my brethren." When the peers assembled at Holyrood, amidst "an unprecedented crowd of spectators," Lord Kinnaird, anxious to eradicate an "unfortunate prejudice" from the public mind, demanded of his friend the Earl of Lauderdale whether he had received an assurance of support from the late Premier, and whether he had shown it to others. Lauderdale said he was in the habit of corresponding with Ministers, but had not mentioned them by word or name to any peer in regard to the election, and for such purposes "valued them no more than he did his old shoes."[1] He was returned by a majority of only two (13 to 11), no doubt because his patron, Lord Rockingham, had been dead for three weeks, and Shelburne, the new Premier, was believed to favour Buchan. The latter had declared that if he was not elected he should never as a candidate "appear again within these walls"; and in a published address he took leave of the peers, and especially of his supporters, "those truly noble lords of the apostolical number," whose "names shall be enrolled for ever with mine in the annals of this country." "My independence," he wrote, "is unexterminable. I can live on the food, the simple fare, of my ancestors. I can prepare it, if it is necessary, in a helmet, and can stir it about with my sword, the name, the origin, the emblem, and the charter of my family."[2]

It is doubtful whether Scotsmen took much interest in the American question, and whether the attitude of their representatives at Westminster coincided with that

[1] According to Buchan, Lauderdale had received Rockingham's letter on or about May 10, "when his agents propagated everywhere the contents." Rockingham died on July 1, and the election was on July 24.

[2] On this subject see *Scots Magazine*, xlii. 575, where the passages relating to the election of peers are collected in a note.

of any but the upper class. Burke in the beginning of 1775 admitted that the Whigs had to face a torrent "of almost general opinion"; but a writer in the *Annual Register* for 1776 declared that the temper of England was thoroughly apathetic, that Protestant Ireland, the aristocracy excepted, strongly favoured the colonists, and that their only determined opponents were "the people of North Britain, who almost to a man, so far as they could be described or distinguished under any particular denomination, not only applauded, but proffered life and fortune in support of, the present measures."[1] The reference to "any particular denomination" limits the scope of this statement, and indicates the evidence on which it was based. During the autumn of 1775 and the ensuing winter seventy-seven addresses from Scotland in favour of the war were printed in the *London Gazette*;[2] but all but a very few of these proceeded wholly or mainly from the county and burgh constituencies, whose approbation of Government measures was no more disinterested than that of their members. In many of the English towns opinion expressed itself independently of the council; but the only Scottish burghs whose inhabitants took this course were Perth and Dundee; and neither at Edinburgh nor at Glasgow could a similar address be obtained.[3] In one or two counties and at Dundee the clergy were subscribers; and addresses were presented by the Synod of Angus and Mearns, the Synod of Glasgow and Ayr, and the Presbytery of Irvine.

Scotland contributed but little to the pamphlet controversy occasioned by the war. John Erskine, the

[1] Lecky, iv. 336, 339. The Scots and Irish in America are said to have been similarly disposed.

[2] *Scots Magazine* for 1775 and 1776. [3] Walpole's *Last Journals*, i. 502.

Evangelical minister of Greyfriars, Edinburgh, issued three tracts in favour of the colonies; and some "Candid Thoughts" were published by Thomas Somerville, the historian and Moderate divine, in which with equal vehemence he defended North and abused Chatham. Turning from journalism to literature, we find that on this question the two most distinguished men of letters took opposite sides. Robertson, believing that the colonists were aiming at independence, since their claim to discriminate between taxes for revenue and taxes for regulation of trade was in itself an assertion of sovereign power, had welcomed the repeal of the Stamp Act as calculated both to facilitate and to postpone the inevitable separation; but in October, 1775, writing as a British subject and not as a lover of mankind, he thought it "fortunate that the violence of the Americans has brought matters to a crisis too soon for themselves," and exhorted the Government to "strike with full force."[1] In the same month a very different opinion was expressed by Hume. Invited to draw up an anti-American address for the county of Renfrew, he emphatically refused, and suggested that King and Parliament should be advised to silence Wilkes and his friends in the City before they attempted to "maintain an authority at three thousand miles' distance." "These are objects worthy of the respectable county of Renfrew; not mauling the poor infatuated Americans in the other hemisphere."[2] The year 1776 is memorable in economic history for the publication of *The Wealth of Nations*. An exhaustive inquiry into the working of the Navigation Act brought Adam Smith to the conclusion that the attempt to regulate the commerce of the colonies had resulted in nothing but loss, and that,

[1] Dugald Stewart's *Robertson*, pp. 120-124. [2] Burton's *Hume*, ii. 479.

if independence were voluntarily conceded, Great Britain, whilst losing her monopoly, would gain a free trade more profitable to the nation at large. Dismissing, however, such a solution as not within the range of practical politics, he maintained that, as colonies add more or less to the expenses of empire, they ought to contribute to its revenue. It seemed to him that no feasible expedient had yet been proposed for associating the colonial assemblies with Parliament in the raising of taxes; and he, therefore, suggested, as a means of terminating an unnatural and hazardous war, that any colony, willing to detach itself from Congress, should be offered a representation in Parliament proportionate to its contributions under a uniform fiscal and commercial system.[1]

In each of his three pamphlets on the war Erskine expressed an apprehension that the religious as well as the political interests of the colonies were at stake; and his principal ground of suspicion was that Canada in 1774 had obtained a constitution, more consonant with French than with British ideas, which entrusted legislation to a council nominated by the Crown, dispensed with a jury in the trial of civil cases, and recognised the obligation of Catholics to maintain their clergy by payment of tithes. In the House of Commons this measure was criticised mainly on the ground that it savoured of despotism and was to be operative within an area much wider than that of the old French province; but Chatham in the Lords denounced it in most extravagant terms as "a breach of the Reformation," telling his hearers that if the Bill became law "you might take down the bells

[1] It is to be feared that equality of taxes would have proved as distasteful to the Americans as equality of trade to the British, and the former would hardly have been at home in the unreformed Parliament.

from your steeples, and the steeples from your churches"; and Horace Walpole professed to believe that George III., guided by "a Scotch Chief Justice abler than Laud, though not so intrepid as Lord Strafford," would prove himself as absolute and as favourable to Papists as Charles I.[1] The majority of the Whigs had, however, no sympathy with this appeal to religious fanaticism; and their position was made plain when in April, 1778, Sir George Savile, the most consistently liberal of his party, attempted for the second time to procure a repeal of the Quebec Act, and, a month later, introduced a Bill relating to certain provisions in an Act of William III. for the imprisonment of priests and Jesuits and of Catholics engaged in education, and debarring members of that communion from inheriting or purchasing land. These provisions, not wholly obsolete,[2] were now to be rescinded in favour of all who should abjure the Pretender, the temporal jurisdiction of the Pope in England, and the doctrine that it is lawful to break faith with heretics and to put them to death. On May 14 the Lord Advocate announced that a Bill to repeal a similar law enacted by the Scottish Parliament in the same reign would be introduced in the next session.[3]

Whilst the Bill in favour of the English Catholics was passing unopposed, Dundas left London to take his seat in the General Assembly; and the temper of that court must have encouraged him to hope that no serious hostility would be aroused by the announcement of his intention to extend the measure to Scotland. A motion that the Assembly should instruct its Commission to "be very watchful over the interests of the Protestant religion

[1] *Last Journals*, i. 374, 378; *Parl. Hist.*, xvii. 1357-1407.
[2] See Lecky, iv. 304.
[3] *Parl. Hist.*, xix. 1127, 1138-1146.

in this part of the united kingdom" found only twenty-four supporters; and the Commission was so far from being watchful that its ordinary November meeting could not be held for want of a quorum. In other quarters, however, there were signs of trouble. A dissenting Synod, that of the Relief Church, meeting at the same time as the Assembly, sounded the alarm; and Bishop Abernethy Drummond, of the Episcopal communion, attacked the proposed concession in certain letters, which were answered with more zeal than discretion by the Catholic Bishop Hay. Before the end of October five Provincial Synods had declared against any relaxation of the penal laws; and in December "the Protestant Interest in Edinburgh" appointed a Committee of Correspondence to elicit petitions and resolutions "from every corner of the land." A similar committee was soon at work in Glasgow, and several local associations were formed. Within the next few months kirk-sessions, parishes, towns, incorporated trades and friendly societies vied with each other in giving utterance to their repressive demands, usually on the plea that toleration would be a breach of the Union, and that Catholics had no right to a boon which they themselves, where they had the power, refused to concede. None of the county constituencies took part in the agitation,[1] but in the list of protesting bodies we find thirty out of the sixty-seven parliamentary burghs. On November 11 the Synod of Lothian and Tweeddale had intimated a provisional assent to the repeal; but, with this exception, liberal sentiments appear to have been confined, as in the days of Charles I., to the district of Aberdeen, where

[1] A declaration was published by the county of Kinross, and another by the county of Dumfries; but the first emanated from the parishes, the second from the Commissioners of Supply.

the town council and synod remained obstinately silent, and the presbytery published a manifesto, which, in 300 pages of such documents, is the only one couched in courageous, humane, and enlightened terms. The Aberdeen ministers made short work of the Popish chimera by pointing out that if the statute of William III. were repealed, the country would still be as well protected against Rome as it had been in the perilous times of the Reformation and the Covenant; they urged that laws too severe to be enforced merely gave to Catholicism "all the advantages that may result from the plea of persecution"; and, being of opinion that "sound argument from reason and Scripture" was a better weapon of defence than penal laws, they were grieved to "observe that, under the appearance of opposing the profession, men are unknowingly cherishing in themselves and fomenting in others the spirit, of that intolerant superstition."

Shortly before these wise words were penned at Aberdeen, indignation had given place to violence in the south. Lord George Gordon, who represented Inverness-shire in Parliament, was a member of the Edinburgh committee, and disturbances broke out, foreshadowing the frightful riots to which that crazy fanatic was to give a name in London. At Edinburgh in February, 1779, incited by handbills scattered in the streets, the mob destroyed Bishop Hay's library and two Catholic chapels; and in Glasgow, a few days later, the premises of a Catholic shopkeeper were wrecked. Principal Robertson, who had boldly advocated the repeal, was denounced as a pensioner of the Pope; for several weeks, as he afterwards informed the Assembly, scarcely a day passed on which he did not receive intimidating letters; and the rioters, who had threatened to serve him as they

had served Bishop Hay, were prevented only by the arrival of a military detachment from demolishing his house. Robertson had sought to propitiate the opponents of toleration by procuring an assurance from Dundas that the clause forbidding Catholics to open schools would not be repealed; but he himself soon counselled surrender; and on February 12 it was announced that the Government had consented not to introduce "the Popish Bill." The General Assembly in May expressed a joyful concurrence in this decision, and instructed its Commission in terms of the motion which had been rejected in the previous year.[1]

The proposal to establish a Scottish militia, which had been so warmly advocated during the last French war, was renewed soon after the outbreak of the American Revolution; and in March, 1776, Lord North gave his support to a Bill for this purpose which had been introduced by Lord Mountstuart, Bute's eldest son. Despite official patronage, the Bill proved little less distasteful than its predecessor to English opinion, was condemned by Burke and others on financial grounds, and rejected by 112 votes to 93. The Scottish force of 6000 men was to be paid and clothed, like the English one, out of the land-tax; and, as the Scots bore only the fortieth part of that tax, they were told that, if they wanted a militia, they must either increase their contribution or supplement it for military purposes by a local rate. One member declared that the Scots, being "in general tinctured with notions of despotism," could not safely be trusted with arms.[2] It soon appeared, however, that

[1] *Scotland's Opposition to the Popish Bill, a Collection of all the Declarations and Resolutions*; Erskine's report of Assembly debate, and Preface to *The Trial of Lord George Gordon*; *Annual Register*, 1779, pp. 197, 198.

[2] *Parl. Hist.*, xviii. 1228-1238.

without arms, if harmless to others, they might be a danger to themselves. In 1778 Scotland received an unfriendly visit from her renegade son, John Paul, who had entered the American navy under the assumed name of Jones, and was then in command of a frigate. On April 23 he made a night attack on Whitehaven; and next morning, casting anchor in Kirkcudbright Bay, within a few miles of his old home, he attempted unsuccessfully to kidnap Lord Selkirk. In the following June an American privateer descended on the Banffshire coast;[1] and in September, 1779, after war had been declared between Great Britain and France, Paul Jones appeared with four ships in the Forth, and made an attempt on Leith. Unfavourable winds baffled his design; but he approached almost within gun-shot, and it was fortunate for the townspeople that their spirited preparations were not put to the test. Three batteries, mounting some thirty guns, were hastily thrown up—two at Leith and one near Newhaven; and arms were supplied to the trade-guilds from Edinburgh Castle.[2]

Lord George Gordon, shaken out of his nightmare by Paul Jones, seems to have awakened to the fact that Scotland had other enemies than the Pope. On December 3, 1779, he moved for papers relating to any applications for arms that had been received from North Britain; and in the course of his speech he said that the country had been so depopulated by new levies and recruiting parties as to be dependent for its defence on old men and boys. In this extravagant assertion there were some grains of truth. When Burgoyne's capitula-

[1] *Annual Register*, 1778, p. 185.

[2] *Scots Magazine* for 1779, p. 509; 'Paul Jones' in *Dictionary of National Biography*. One result of this raid was the erection of Leith Fort, which was begun in the same year.—Irons' *Leith and its Antiquities*, ii. 176.

tion was announced in the autumn of 1777, Manchester and Liverpool each offered to raise a regiment, and their example was promptly followed by Edinburgh and Glasgow. The Government accepted these offers, but similar proposals from territorial magnates were discouraged or refused, unless they emanated from the Highlands, where indeed a new corps had already been formed. The regiment raised in 1757 under Pitt's auspices by Simon Fraser, the forfeited Master of Lovat,[1] had been disbanded at the Peace after six years' service in Canada. Colonel Fraser's estates were restored to him in 1772, and, three years later, on the outbreak of the American War, he obtained permission to embody two battalions, and speedily mustered 2340 men. In 1777-8 no fewer than six Highland regiments were added to the regular army—one of two battalions raised by Lord Macleod, and five of one battalion, drawn mainly from the clans of Campbell, Macdonald, Murray, Mackenzie and Gordon. As Scotland was not permitted to have a militia, the Highlands were also called upon, as they had been in 1759, to provide men for home defence; and for this purpose three single-battalion regiments were formed—the Western Fencibles, enlisted chiefly in Argyllshire, but also in Glasgow and the south-west, the Gordon Fencibles, and the Sutherland Fencibles.[2]

"I am above all local prejudices," said Pitt, "and care not whether a man has been rocked in a cradle on this or on the other side of the Tweed: I sought only for merit, and I found it in the mountains of the North." Another Minister had now embarked on the same quest; but the Whigs, though never tired of contrasting the disgrace of this war with the glory of the last, found Pitt's disciple worthy of blame. Their two great com-

[1] See p. 36. [2] Stewart's *Sketches of the Highlanders*, vol. ii.

plaints were that a force of 15,000 men had been raised during the recess, and that the Government had gone for the bulk of its levies to so disaffected a quarter as the Scottish Highlands. Burke said that, if the Crown could constitutionally raise troops without consent of Parliament, British liberty was a mere shadow, and asserted, in view of our acquiescence in this enormity, "that we seemed to be just ripe for ruin." Fox taunted Scotland and Manchester with their attachment to Jacobitism and prerogative, describing them as "so accustomed to disgrace that it was no wonder if they pocketed instances of dishonour and sat down contented with infamy." Another member declared that "a large Scotch army might have marched to Derby without Parliament being acquainted that such an army existed in the kingdom"; and Wilkes, recalling his personal experiences of 1745, said he did "not think an invasion of this country at the present crisis quite so chimerical a project as the conquest of America." It was also objected that, whilst Manchester and Liverpool had raised regiments at their own expense, the heads of clans —who, it should have been remembered, were poor enough in money—had received £3 a head for their recruits; and Colonel Barré, anticipating a complaint that has been heard in our own day, wanted to know "why it was permitted to those northern nobles and gentlemen to come into the streets of London and Dublin, expressly against the spirit of their proposals, and pull off the breeches of Englishmen and Irishmen to fill up their Highland regiments." Colonel Murray, in answer to this indignant speech, admitted that amongst his Athol Highlanders, over 1000 strong, there were about fifteen English and thirty Irish.[1]

[1] *Parl. Hist.*, xix. 615, 622, 685, 761, 1003, 1009.

The Government completed their Highland levies in 1780, when a second battalion was added to the Black Watch; but it was now generally believed that their military exertions could result in nothing but disaster; and North in the preceding December had confessed to the King that he himself had been of this opinion "for three years past." Despite the doctrine of Ministerial responsibility, there could be little doubt who was to blame for the persistence of a struggle which in the days of its popularity had been known as "the King's war"; and the public ill-humour found vent in a widespread agitation against corrupt influence in Parliament—an agitation which produced so considerable an effect in the House of Commons that Dunning obtained a majority of eighteen for his famous resolution "that the influence of the Crown has increased, is increasing, and ought to be diminished." Favoured by the Gordon Riots, the Ministry somewhat improved its position at the general election of 1780; but in November, 1781, the news arrived that Lord Cornwallis, the only capable British General, had capitulated at Yorktown; early in the following year Minorca and several West Indian islands were lost; and in March North at last succeeded in inducing the King to accept his resignation.

George could no longer hope to be complete master of his Cabinet; and the fall of Lord North was followed by a return to the weak and divided Ministries which had prevailed before his accession to power. Rockingham, for the second time, became Premier; but Shelburne, to whom George had offered this post, acted on a design which Fox had suspected when he said that the administration was apparently "to consist of two parts, one belonging to the King, the other to the public";[1] and,

[1] Russell's *Life of Fox*, i. 283.

when Rockingham died within four months, after conceding legislative independence to Ireland and doing a good deal to diminish the electoral and parliamentary influence of the Crown, he was succeeded by the man whom George proposed to use as his tool, but was so far from trusting that he called him "the Jesuit of Berkeley Square." Fox resigned; and the withdrawal of another Minister opened the way for the appointment of William Pitt, Chatham's second son, then in his twenty-fourth year, as Chancellor of the Exchequer. The new Ministry in 1783 signed preliminaries of peace and recognised the independence of America. The Treaty of Versailles was too inglorious to be popular; but Shelburne himself, whom everybody suspected and disliked, was a still greater obstacle to his continuance in power; and he was already contemplating resignation when Fox and North made up their ancient feud and carried against him a condemnation of the Peace. It was only after every possible alternative had been vainly proposed that George consented to accept Fox[1] and North as Secretaries of State, with the Duke of Portland as their nominal chief; and, when the Coalition Ministry exposed themselves to attack by bringing forward an unpopular India Bill, he procured its rejection in the Lords by intimating "that he should consider those who should vote for it, not only not his friends, but his enemies."[2] Pitt then formed a Cabinet, all the members of which, save himself, were peers; and he continued to hold his own against a dwindling majority in the House

[1] Fox in the previous year had denounced from his place in Parliament "that infernal spirit that really ruled, and had so nearly ruined, this country; which was much greater, though not so visible, as Ministers."—*Parl. Hist.*, xxii. 1046.

[2] *Life of Sir Gilbert Elliot*, i. 90.

of Commons till his position was triumphantly established at the general election of 1784.

The Lord Advocate of Scotland, after Wedderburn in 1780 had followed Thurlow to the Upper House, was North's "most powerful auxiliary" in the Commons;[1] but he was still far from the zenith of his career; and these shifting scenes of Cabinet collapse and reconstruction furnished him with opportunities for advancement which he turned to the fullest account. Dundas had no reason to regret the assertions of independence which had made him Joint-Keeper of the Signet; and in the summer of 1781 he was feeling his way towards a re-assumption of that part, his object being, as afterwards appeared, to extort further favours from a tottering Government, and, if the Government should fall, to ensure his continuance in office by drawing nearer to the Whigs, and particularly to Pitt. On June 12, making what he called "a confession of his political faith," he told the House that he had entered Parliament, only a year before the war began," as an unprejudiced, unconnected man, without any more predilection for Ministers than for their opponents,"[2] denied that he had used the word *starvation* in any American debate, and, whilst admitting that he had opposed all concessions to the colonies, said that he had acted on no opinion but his own, and "had never to the present minute swerved a tittle." Fox derived "great entertainment" from this confession, and rather spoiled its effect by reminding the speaker, who did not venture to contradict him, that

[1] Wraxall's *Memoirs*, 3rd edition, ii. 222: *Life of Wilberforce*, i. 21.

[2] As Dundas was Solicitor-General when he entered Parliament and was appointed Lord Advocate within six months, this was tolerably audacious; and as to *starvation*, if he had not used the word, as most people supposed, "in relation to America," he had certainly expressed the idea.

he had swerved to some purpose in regard to North's Conciliation Bills.[1]

When Parliament re-assembled within forty-eight hours of the tidings from Yorktown, Dundas acted in the spirit of his boast. On November 28, replying from the Treasury bench to Pitt, who had taxed the Government with disunion, and called upon them to state plainly whether or not they meant to continue the war, he bestowed his wonted eulogium on the genius of Chatham re-incarnated in his son, and then astonished his audience by insisting that Ministers could not devolve their responsibility on the Crown, and declaring in general terms "that the Minister who would sacrifice his opinion to preserve his situation was unfit for society." On December 14 he spoke on the Army Estimates, and, though Fox pressed him strongly to be more explicit, he merely reiterated these words. In using such language Dundas may have meant, not to embarrass Lord North, whom indeed he expressly exempted from censure, but rather to assist him by compelling the resignation of Lord George Germaine,[2] the Secretary for the Colonies, who was known to be encouraging the King in his obstinate refusal to accept defeat; and North himself, who was seated beside his unpopular colleague, suggested this explanation by withdrawing to another bench.[3] The Lord Advocate's manœuvre had, however, been concerted with Rigby,[4] the most shameless of jobbers, and he certainly intended to promote his own

[1] See pp. 65, 66.

[2] Formerly Sackville. See p. 51.

[3] Wraxall's *Memoirs*, ii. 468, 474.

[4] Paymaster of the Forces. Junius, alluding to Rigby's complexion—no less convivial in hue than that of Dundas, his frequent guest at the Pay Office—said that in him alone the Duke of Bedford had patronised "blushing merit."

as well as the public good.[1] It was supposed that he had hoped to supplant Germaine as Secretary of State;[2] and that Minister had no sooner resigned towards the end of January, 1782, than he asked, and apparently prevailed upon, North to promise him the Treasurership[3] of the Navy, vacated by Germaine's successor, and his Scottish sinecure for life. George III., commenting on these large demands, intimated that, if Dundas accepted so lucrative a post as the Treasurership, he must be content to hold his Signet office during pleasure, for "the trouble he has given this winter is not a reason for making him independent."[4] The matter had not been adjusted when North's Ministry came to an end on March 20; but, a fortnight earlier, Dundas had elicited an assurance from Fox that he and his friends, when they came into power, did not "mean to proscribe the learned Lord Advocate, although they abhorred his notions of the constitution."[5]

The Lord Chancellor and the Lord Advocate were almost the only members of the late Government who continued to hold office under Rockingham; and Dundas, anxious to regain favour at Court, proved little less amenable to royal influence than Thurlow, whose retention of his post was an avowed concession to the King. He attached himself closely to Shelburne, and seldom missed an opportunity of differing from, and even of insulting, Fox. Shelburne, as Rockingham's successor,

[1] "By opposition he his King shall court,
And damn the People's cause by his support."
—*The Rolliad.*

[2] Walpole's *Last Journals*, ii. 479.

[3] Curiously misprinted in Walpole (ii. 508) "the treasure ships of the Navy."

[4] *Correspondence with North*, ii. 405.

[5] *Parl. Hist.*, xxii. 491, 560, 735, 852, 1143.

sought to balance Fox's desertion by calling to his assistance both Pitt and Dundas, and the latter received even more than he had asked from North; for, in addition to the Treasurership of the Navy and the Signet for life, he obtained the disposal of all offices in Scotland.[1] The Ministry, however, was still very weak; and Dundas attempted to secure the adhesion of Lord North, first by offering him "a great, but not a Cabinet, place," and then by giving him to understand that Shelburne meant to resign, and that if he did not come in on these terms, Pitt and Fox would annihilate his party, by uniting their forces and dissolving Parliament.[2] This injudicious threat helped materially to bring about that union of Fox and North which it was intended to prevent. Dundas was the King's confidant in his strenuous endeavours to find an alternative to the Coalition Ministry, and all but succeeded in thrusting that burden on Pitt. Deprived of his Treasurership when the King had at last given way, he continued to act as Lord Advocate, boasting, it is said, "that no man in Scotland would dare to take his post";[3] but he and Thurlow had given no ordinary provocation, and both were turned out. As Fox had declared with regard to North and his colleagues that "from the moment when he should make any terms with one of them he would rest satisfied to be called the most infamous of mankind," Dundas had no difficulty in ridiculing and vilifying the Coalition; but "that abandoned man," as Walpole terms him, had steered anything but a straight course; and, when on February 17, 1783, he stated that he should always be ready to support any Government whose principles he approved, Fox retaliated by expressing his belief that,

[1] *Correspondence of Fox*, ii. 29. [2] *Ibid.*, ii. 31-37.
[3] Walpole's *Last Journals*, ii. 633.

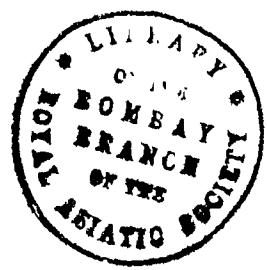
"in order that he may always be able to support Administration, he will take care invariably to approve of their principles." Dundas's enemies held that this prediction was practically fulfilled within a few weeks, when, to the astonishment of his friend Rigby, he supported the proposals of Pitt—then, however, in Opposition—for parliamentary reform. On the same day (May 1) of the previous year, when Pitt made a similar motion, the Lord Advocate had opposed it on the audacious plea that "the constitution had existed for ages pure."[1]

Dundas at this crisis found himself in opposition to the astute lawyer, his friend and countryman, who in 1780 had been appointed Chief Justice of the Common Pleas. Lord North, unwilling to lose the services of so masterly a debater, had hesitated to bestow this preferment on Wedderburn; and the latter had overcome his reluctance by suggesting that he should be able to support the Government where it was strong only in numbers if he were admitted to the Upper House. Wedderburn, however, had no sooner taken his seat as Lord Loughborough than he professed a resolution not to soil his ermine by engaging in party strife; and his gratitude was, therefore, attested by nothing more valuable than a silent vote. He was greatly chagrined to find that the Chancellorship did not become vacant on the fall of North's Ministry; and his ermine, having contracted some stains in consequence of this vexation, was soon trailed in the dust when the Coalition opened to him the prospect of supplanting Thurlow. Thurlow, however, was rather suspended than deposed, and Loughborough had to content himself with the office of First Commissioner of the Great Seal. He vigorously supported the Coalition Government; and, when George had dismissed them and

[1] *Parl. Hist.*, xxii. 1106, 1434; xxiii. 865. Wraxall, iii. 272.

called Pitt to power, he made his second appearance as an "occasional patriot" by denying the right of the Crown to maintain an administration which had not the confidence of the Commons, or even, as a means of obtaining that support for its Ministers, to dissolve Parliament.[1] Lord Mansfield, the other Chief Justice, threw the weight of his great reputation into the same scale. During the suspension of Thurlow he returned to the woolsack as Speaker of the Lords; and he closed his parliamentary career, somewhat incongruously for a "high priest of despotism," by opposing a motion of censure on the Commons for obstructing the right of the sovereign to choose his Ministers.

[1] Campbell's *Lord Chancellors*, vol. vi.



CHAPTER III

THE POLITICAL AWAKENING, 1783-1797

HITHERTO, with the exception of some stirrings of independence amongst the nobles, we have seen nothing to suggest an upward tendency during our period in the political development of Scotland; but at this point we pass from stagnation to repression, and have, therefore, sounded our lowest level. The spirit, which had so long reigned unquestioned, was indeed still to prevail; but the forces it defeated were assured of ultimate triumph; and outside the narrow domain of politics, civil and ecclesiastical, we shall find that industrial and intellectual energies were everywhere throbbing into life.

Dundas's political ambition was never more happily inspired than when it prompted him to stake his future on the rising genius of Pitt; and it is probably a well-founded conjecture[1] that he was attracted by the prudence of the young orator as well as by the precocious abilities which were patent to all. Pitt's abuse of Lord North had almost equalled that of Fox, and he had denounced "that baleful influence of the Crown" which was protracting "a most accursed, wicked, barbarous, cruel, unnatural, unjust and diabolical war";[2] but, unlike

[1] Wraxall, ii. 457.

[2] *Parl. Hist.*, xxii. 488, 733.

Fox, he never failed to discriminate between the King's person and his office, to extol his good intentions, and to represent North as his evil genius rather than his tool. The course of events was singularly favourable to the position, at once popular and loyal, which Pitt had thus early assumed. George could not but be grateful to the man who had rescued him from "the most unprincipled Coalition the annals of this or any other country can equal";[1] and, even had gratitude been wanting, he could not have dismissed his deliverer without passing again under the yoke. Public opinion, which vehemently suspected the reconciliation of two such enemies as Fox and North, and had been taught to believe that they meant to perpetuate their alliance by engrossing the Indian patronage, was little less hostile to the Coalition; and the son of Chatham had won general admiration by showing that, though tenacious of office, he was no less indifferent than his father to its pecuniary rewards. A Minister so able, so popular and so indispensable, could not be manipulated by any exertion of "baleful influence"; and the personal initiative, which George had ever striven to acquire or to retain, he now conceded to Pitt.

The man, who had fought at Pitt's side as second-in-command against the big battalions of the Coalition, shared the spoils of victory with his chief; but Dundas had now emerged from the morass of unsatisfied ambition in which Wedderburn was still struggling, and it is merely as dictator of Scotland, not as a British statesman, that his subsequent career falls within the compass of this work. Leaving Ilay Campbell to succeed Henry Erskine, the Coalition Lord Advocate, he was reappointed Treasurer of the Navy, and assumed the

[1] Jesse, ii. 428.

administration of Indian affairs as ruling member[1] of the Board of Control. In 1791 he was made Home Secretary, and in 1794 exchanged that office for the new Secretaryship for War.

The constitutional struggle which Pitt brought to a conclusion had lasted for twenty-three years; and throughout that period the flame of Scottish liberalism, though always flickering on the verge of extinction, had never actually gone out. Even in the days of Bute, when autocracy had the support of national sentiment, we have seen that four of the Scottish members opposed the Court. Five of them voted in 1780 for Dunning's resolution against the influence of the Crown, and six in 1782 for the motion of no-confidence, defeated by a bare majority of nine, which led to the resignation of Lord North. These numbers are but small fractions of forty-five, but they included one whose influence in the House of Commons was not to be measured by his vote.

George Dempster entered Parliament in 1762 as member for Dundee, Perth, Forfar and St. Andrews; and for twenty-eight years these burghs retained the services of a man whose reputation for independence, liberality and uprightness was scarcely inferior to that of Yorkshire's noble representative, Sir George Savile. A fluent and effective speaker, handsome in person, engaging in address,[2] Dempster was an authority on questions of trade and finance, and appears to have anticipated Pitt in the advocacy of Dr. Price's suggestion of a sinking fund for reducing the national debt.[3] Disapproving of all attempts to coerce the colonies, he

[1] Mr. Omond (ii. 120) is mistaken in saying that Dundas was appointed President of the Board of Control at its formation in 1784. He did not become President till 1793, but the chief power was from the first in his hands.

[2] Albemarle's *Rockingham*, ii. 252.

[3] *Parl. Hist.*, xxiv. 1014.

declared in 1774 that "he knew of no Act to which he gave his hearty consent more willingly than the repeal of the Stamp Act";[1] in 1775 he and Fox were tellers for a conciliatory proposal which found only twenty-one supporters; and four years later, in advocating Burke's first and most radical scheme of economical reform, he said, "On my conscience I am persuaded that the influence of the Crown is the true cause of the mischievous origin, the destructive progress, the absurd conduct, and the obstinate prosecution, without view or hope, of this accursed American war."[2] The same antipathy to aggression, always humane, if not always sound or prescient, inspired his attitude towards the East India Company, of which he was for some time a director. He insisted that our only real interests in India were those of commerce, "conjured Ministers to abandon all idea of sovereignty in that quarter of the globe," and even "lamented that the navigation to India had ever been discovered."[3] In domestic politics, deferring to the opinion of his constituents, he gave little or no support to the cause of municipal and parliamentary reform; but in all other respects he showed a most remarkable zeal for freedom and the purity of public life. In 1774 we find him opposing a motion to prosecute the author of a libel on the Speaker as "levelled entirely at the greatest of blessings we enjoy, the liberty of the press."[4] When North brought in a Bill to override a decision of the courts in favour of a printer who had challenged the exclusive right of the Stationers' Company to print almanacs, he said that the Scottish almanacs, the product of free competition, were better than the English, lauded "the enterprising printer," and remarked that all mono-

[1] *Ibid.*, xvii. 1175.
[2] *Ibid.*, xx. 1302.
[3] *Ibid.*, xxiii. 1301.
[4] *Ibid.*, xvii. 1089.

polies—forgetting apparently that of the East India Company—were "odious and unjust."[1] He was the only Scottish member who in 1777 opposed the grant of £600,000 to discharge arrears of the King's Civil List; and he insisted that, before such a sum was voted, the public ought to be informed how the debt had been incurred, and ought to have some assurance "that the burdens borne by them were not to serve the purposes of corruption by influencing members of Parliament."[2] In the course of a debate on the Army Estimates he exhorted the Government to advertise its contracts, as he and his fellow-directors had recently done at the India House. "Jobbers and contractors were," he said, "at once the disgrace and the curse of this country"; and he mentioned an instance during the previous war in which a person, whose contract amounted only to £1,300,000 had made fully £800,000 profit.[3] On another occasion, when arguing that members of Parliament should not be excluded from a commission for examining the public accounts, he said that he himself was of too little consequence to be a commissioner, "but so great was his desire to see the public accounts put in a way of examination that he was ready to become door-keeper to the commissioners, to hand them pens, ink and paper, and to act as their messenger without either fee or reward."[4] Through the influence of Rockingham he was appointed Secretary to the Order of the Thistle in 1766; but he neither obtained nor sought any further recompense; and his independence had little in common with the highly marketable commodity which Dundas paraded under that name.

In 1790 Dempster retired from Parliament, but only

[1] *Parl. Hist.*, xx. 604.
[2] *Ibid.*, xix. 141-143.
[3] *Ibid.*, xviii. 1242.
[4] *Ibid.*, xxi. 261.

to engage in activities which were quite as patriotic, and were continued for exactly the same period, as those of his political career. By every means in his power he sought to develop industrial enterprise on the east coast of Scotland, attempted at great loss to found a manufacturing village at Skibo in Caithness, and taught the fishing population, whose interests he had much at heart, to find a more distant market for their produce by packing it in ice. On his own estate of Dunnichen, near Dundee, he was indefatigable in enclosing, draining, and building; and it was soon his happy boast that every one of his tenants had been freed from vexatious feudal exactions, had obtained a long lease, and was well clothed and well housed. A life so valuable to his country, so invaluable to his neighbours and dependents, was prolonged to the eighty-fourth year, and, as it drew towards a close, he wrote thus to a friend: "I was lately on my death-bed, and no retrospect afforded me more satisfaction than that of having made some scores—hundreds—of poor Highlanders happy."[1]

When Pitt came into power in 1783 the group of Scots in Opposition, though little stronger in numbers, had obtained two important recruits. One of these was Sir Gilbert Elliot, son of the King's friend, who had entered Parliament, a few months before his father's death, in 1776, and, though far from satisfied with the abilities of North and his colleagues, had supported them as "the only men who would attempt the recovery of the colonies." He believed, not without reason, that this was a legitimate object, and recoiled with disgust from politicians who took "a parricide joy" in the disasters of their country, and ventured, even in the House of Commons, to speak of the American troops as "our

[1] Chambers' *Scottish Biographical Dictionary*, ii. 69.

army." In 1780 he supported Dunning's resolution; and in 1782, when his "past American opinions" had been shaken to their foundation, he voted with North's opponents against the continuance of the war, and became the cordial associate of Fox and Burke. Having succeeded his father as member for Roxburghshire, he was one of "Fox's martyrs" at the general election of 1784; but Berwick restored him to political life in 1786, and he was twice proposed by the Opposition as Speaker.[1]

The Coalition claimed another "martyr" in William Adam, member for the Stranraer district and a nephew of the well-known architect, who had begun his parliamentary career in 1774 as representative of an English, and particularly rotten, borough. No less anti-American than his friend Dundas, and rather more independent, Adam was an adept in the art of ironical praise, and his "arguments of pretended panegyric" were observed to make an impression even on the equable and drowsy temper of Lord North.[2] In 1779 he announced his intention to support a Ministry, which, however incompetent, was no worse than its opponents; and the remarks of Fox on this cynical declaration led to a duel in which the critic was slightly wounded. In the following year he was appointed Treasurer of the Ordnance. He now became the champion and the confidant of Lord North; but the Coalition, which he actively promoted, brought him into close association with Fox; and to that statesman, once a target for his pistol, he loyally adhered, even after Fox's sympathy with the French Revolution had estranged Burke, Elliot, and the great majority of his friends. Such constancy was a rebuke to those who

[1] *Life and Letters of Sir Gilbert Elliot, First Earl of Minto, passim.*

[2] *Parl. Hist.*, xxii. 17.

in 1780 had taunted him with selling his independence for "a thousand or twelve hundred a year."

Mention has been made of the popular agitation in England with which the House of Commons expressed its concurrence in 1780. Its immediate object was attained when the Rockingham Ministry, by reducing pensions and sinecures, disfranchising revenue officers, and excluding contractors from Parliament, had dealt a heavy blow at the corrupt influence of the Crown; and the county associations, which had organised the movement, then demanded a better system of representation, and found in Pitt an able exponent of their views. Pitt urged the necessity of parliamentary reform in 1782, in 1783, and, as Prime Minister, in 1784; but he himself, in reconciling the antagonism of Crown and people, had much diminished the practical importance of the question; and, whilst in 1782 his motion for the appointment of a committee had been defeated by only twenty votes, his Reform Bill of 1784 was thrown out on the first reading by a majority of seventy-four.

Meanwhile the spirit which was a spent force in England had spread to Scotland, and was there troubling the waters, no less muddy than stagnant, of public life. It was natural that efforts should be made for a reform of county representation, for that cause, without making the least progress, had been in agitation since the Union. We have seen[1] that the remodelled oath imposed in 1734 had failed to check the creation, for political purposes, of merely nominal voters; and, soon after the accession of George III. had given a new zest to electioneering, the Court of Session began to supplement it by a series of queries, "which, like the spear of Ithuriel, made the spectres stand forth in their true

[1] See p. 19.

shape." This method of detection was, however, condemned incidentally by the House of Lords as *ultra vires* in 1768; and thenceforth the counties were more and more haunted by these "perfect ghosts, mere phantoms," which had been conjured out of the vasty deep of corruption by a Duke of Gordon or an Earl of Fife. In 1775 a Bill to annul fictitious qualifications was brought into Parliament by Lord Advocate Montgomery, seconded by Dundas as Solicitor-General. It was promptly strangled by those who were vaguely denominated "the folks above," and was derided by at least one vigorous reformer, who contended that by greatly reducing the small county electorate it would make the great landowners more powerful than ever, and that no real good could be effected so long as a superior receiving a farthing of feu-duty had a vote, whilst his vassal, with perhaps an estate of £10,000 a year, had none.

In 1783, influenced by the movement headed by Pitt, three of the Scottish counties passed resolutions in favour of reform, and in a general meeting at Edinburgh a committee was appointed, and money was subscribed, with a view to taking proceedings in Parliament. The project, however, never took shape in a Bill, and would probably have been quite fruitless if the landowners of Morayshire, provoked out of all patience by the Earl of Fife's twenty-seven "ghosts" and the Duke of Gordon's twenty-one, had not themselves attempted the task of exorcism. In the autumn of this year they presented a petition to the House of Commons complaining that both their electorate and their magistracy were swamped by "ignorant and servile dependents"; and, when a Mr. Cuming was defeated as candidate for the county by the Earl of Fife[1] at the general election of

[1] An Irish peer, and therefore eligible for the Commons.

1784, he prosecuted two of that nobleman's voters for perjury in taking the trust-oath. He failed, of course, to obtain a conviction; but the Court of Session was so scandalised by the state of things disclosed at these trials that they tentatively revived their old queries; and the Lords on April 19, 1790, reversing or rather explaining away their former decision, emphatically approved of this course. Two months later, the queries were put to three of the Duke of Gordon's voters in Aberdeenshire; and these, having admitted with great candour that their qualifications had been framed with a view to increasing the Duke's political influence, were struck off the roll.[1] This was hailed by the reformers as a decisive victory; but the manipulation of superiorities, after being for some time in abeyance, was revived in a form not easily intelligible to any but the legal mind, and seems to have been as prevalent as ever in the years preceding the Reform Bill.[2]

The influence on Scotland of the English reform movement of 1780 was more conspicuous in the municipal than in the constitutional sphere. In 1782 a committee was formed at Edinburgh, and another at Aberdeen, to agitate against the reign of monopoly in the royal burghs; and in 1784 a convention of delegates from thirty-three,

[1] "The Funeral of the Nominals," an amusing skit, appeared in one of the Edinburgh newspapers and was reprinted in the *Scots Magazine*. It concludes thus:

Here are buried
The Freeholders, Nominal, Fictitious, and Confidential,
Who were born to lie
And suffered death
For speaking the truth
Per Decretum Dominorum Concilii.
A.D. 1790.

[2] Bell's *Treatise on the Election Laws*, 1812; Connell's *Treatise*, 1827; *Scots Magazine*, 1775, pp. 291, 568; 1783, pp. 67, 68, 668; 1790, pp. 229, 356.

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or one half of these burghs, resolved unanimously to make all legal exertions with a view to putting the election of magistrates, town councillors and representatives in Parliament "upon a proper liberal and constitutional footing." Disheartened, however, by the failure of Pitt's proposals in favour of parliamentary reform, the delegates at their next convention decided not to touch the relation of the burghs to Parliament, except in so far as this must necessarily be altered by a popular election of councils, and to concentrate their efforts on a reform of "the internal government."[1]

The arguments in favour of such a reform had been steadily accumulating ever since "common, simple persons" were deprived of their electoral rights by the Act of 1469. That Act provided, as we have seen,[2] "that the old council of the toun shall choose the new council," or, in other words, that the majority of the council who kept their seats should nominate persons to replace the minority whose turn it was to retire; and, as the persons nominated were usually those who had gone out the year before, the council was practically not only self-elected, but elected for life. Men who held office on such a tenure were not unlikely to abuse their power, particularly as no tribunal existed competent to call them to account. It had been the duty of the Lord Chamberlain in his annual circuits through the burghs to supervise their financial administration; but this office was abolished in 1503, and in 1535 the burghal jurisdiction, which had accrued to it, was vested in the Court of Exchequer. The remedy thus provided was, how-

[1] Fletcher's *Memoirs concerning the Rise and Progress of the Reform proposed in the Internal Government of the Royal Burghs of Scotland*, pp. 13, 21, 29. This work and the *Parliamentary History* are the sources of the ensuing narrative. Fletcher was secretary to the standing committee.

[2] See p. 20.

ever, too expensive, and in most cases too distant, to be of any great value to oppressed burgesses; and the judges in a recent decision had disclaimed it—presumably on the ground of disuse. It was alleged in quarters hostile to reform that magistrates were accountable to the Convention of Royal Burghs; but that body, a mere emanation of town councils, could have been anything but a satisfactory censor, and the claims made on its behalf had also been judicially repelled.

It was no new indictment which was now being prepared against the municipal authorities of Scotland. Within twenty years of its disfranchising statute, we find the legislature condemning the election of officials "by partiality or mastership"; the reason assigned for subjecting the burghs to the Court of Exchequer was that through the misconduct of their rulers they had been "put to poverty, wasted and destroyed in their goods and policy"; and in 1684 and 1694, in consequence of "numberless murmurs and complaints," commissions were appointed to rectify the administration of revenues which had "been either profusely dilapidated or privately peculated, and for the most part have been applied to ends and purposes totally different from those directed by law." The reformers of 1784, however, were not content to rest their case on merely historical grounds; and the local knowledge of delegates soon supplied them with an armoury of facts.

Though the Scottish Parliament had abolished popular election, it had not failed to enact that none "but honest and substantial burgesses, merchants and indwellers" should be eligible for municipal office; but the territorial magnate, for whom burghs existed only to return members of Parliament, paid no respect to this law. Whether or not the great man himself entered the council, he

took care either to procure the election of burgesses who were not honest and were not substantial, or, more frequently, to intrude a gang of non-residents—friends, tenants or servants of his own or revenue officers. Thus the factors of the Earl of Bute had been provosts of Rothesay for the last forty years. The Dukes of Argyll during the same period had governed Dumbarton by means of "councillors elected from every corner of the country." The councils of Whithorn and Wigton were manned mainly by dependents of the Earl of Galloway, who was a member of both; and the oldest inhabitant of Stranraer, which was managed by the Earl of Stair, could not recall a resident provost. The Earl of Eglinton held sway in Irvine as a "merchant councillor," and he and his friends were superior to the law of rotation, as "they always took in two silly persons to shift." People who obtained office under such conditions had little difficulty in holding it for life or even in transmitting it to their sons. The Provost of Lanark, though still young, had been in power for ten or twelve years, and his father and grandfather had each officiated for thirty-five years. Where a proportion of the council had to be chosen from lists submitted by the incorporated trades, the merchant councillors, who were self-elected, contrived to perpetuate their supremacy by making it a rule that the minority of their own members at any private meeting should always concur with the majority in public.

The reformers, in endeavouring to expose the fruits of this system, were much obstructed by the councils, which in many cases refused access to their books;[1] but it was matter of general complaint that these self-elected and irremovable corporations had incurred heavy

[1] When they had any. Edinburgh was believed to have none.

liabilities, assessed unfairly the public burdens, and alienated for quite inadequate sums the public estates. Stirling, for example, had had to sell all its lands in order to pay its debts, and corruption in this case was so notorious that Dundas, when Lord Advocate, had confiscated the charter. Wigton had assigned to its patron, the Earl of Galloway, for £16 of feu-duty land which now yielded annually £400. The heirs of eleven provosts of Dumfries owned property which had once belonged to the burgh. Dumfries had a treasurer, but, as other people had to be provided with salaries, he was assisted by a chamberlain and no fewer than five collectors. The Perth reformers complained that their public contracts were ruinously jobbed, and stated that the council had spent £3000 in rebuilding a single arch of the bridge over the Earn, whilst an entire bridge, three miles further up the river, had been built by subscription for £500. When a new church was required at Peebles, a wealthy townsman offered to build it for £850; but this tender, and three others almost equally moderate, were rejected, and the work was executed by a mason, who was also the burgh treasurer, at a cost of £1600. In Edinburgh the activity of investigators seems to have been effectually foiled; but the administration of that city as disclosed by an ex-magistrate, fifteen years later, did not redound to its credit. It appeared that the corporation were using as part of their ordinary income £400 appropriated to the relief of indigent burgesses, £1500 illegally levied, and £3000 of their ecclesiastical funds; and yet there was an annual deficit, apart from interest on the debt, of £6060.[1]

[1] *Strictures on Political Parties in the City of Edinburgh by a Friend to the Public*, 1800. Ex-Bailie Smith, whose disclosures occasioned this pamphlet, had never been able to discover "whether or not the city kept any books." A cash book was indeed laid weekly on the council table,

Such evils could not be remedied by any but legislative means, and the provisions of a Bill for this purpose were unanimously approved in 1785 by a convention of delegates from 49 out of the 66 royal burghs. Popular election of town councils was to be substituted for self-election; but the franchise was to be restricted to actual burgesses, resident for at least a year, tax-payers or householders, engaged or formerly engaged in business within the burgh; and the burgesses, thus qualified, were to be authorised to appoint auditors of public accounts, from whose decision there should be an appeal to the Court of Exchequer. Dempster was selected by the reformers as the most suitable person to take charge of their Bill on account of "the patriotic character and independent spirit which he has always maintained," and so sure were they of his consent that they "scarcely looked towards any other." Dempster, however, disappointed his admirers, stating that he could not assist in destroying the corporations to which he was indebted for his seat; and the committee of delegates, finding no Ministerialist willing to undertake their cause, were compelled to have recourse to the Opposition, and, on the advice of Fox, sought and obtained the services of Sheridan. Meanwhile the Convention of Royal Burghs had declared against this attempt to "unhinge a constitution which has stood the test of ages." Dunfermline indeed had so little respect for this venerable constitution that it unanimously adhered to the cause of reform; but the other corporations were so active and so successful at Westminster that no Scottish member, with one exception,[1] ventured to support the project, and Dundas in

but it "was so constructed that it was not possible it could be understood by any of the Council or even by the Chamberlain himself." *Ibid.*, pp. 54, 55.

[1] Sir Thomas Dundas, member for Stirlingshire.

opposing it was usually seconded by Anstruther, one of the Scottish Whigs.

Sheridan opened the business on May 28, 1787, when petitions were presented from Glasgow and Dundee. The petitioners must have been very simple and very sanguine people if they imagined that their case was at all likely to be considered on its merits. Pitt's Government, strong as it was, could not afford to endanger its ascendency by introducing a principle so potent and so infectious as that of popular election into the Scottish burghs; and Dundas, whilst totally denying the facts alleged, endeavoured on one pretext or another to prevent them being put to the proof. He asserted that there was no illegal taxation in the burghs, no dilapidation of revenues, no gross misrule. Councillors, if they misapplied public funds, were liable to be prosecuted by the Lord Advocate, and were, moreover, responsible to that epitome of themselves, the Convention of Royal Burghs. The Scottish municipalities were at all events no worse than the English. Their charters, being royal charters, could not be summarily recast without "a bold infringement of the prerogative," and, being secured to them by the Union, "ought to be regarded as sacred."[1] A petition signed by 1500 or even by 9000 persons was no great matter, and Sheridan "would have had followers of some description" if he had brought in a Bill to make the people electors of the King or Lord Chancellor. The honourable gentleman, though no statues

[1] This silly argument, much paraded by the town councils, had been used against the oppressed Catholic, and even against the parish minister who was not content to starve on £40 or £50 a year. The burgh charters, as confirmed by the Union, were so far from being unalterable by Parliament that they had been altered repeatedly—at all events, up to 1778—by so insignificant a body as the Convention of Royal Burghs.—*Miscellany of Scottish Burgh Records Society*, pp. lxxiv., lxxviii.

had yet been erected in his favour, was obviously aspiring to be a popular hero; and his proposal to institute yearly in Scottish towns "a species of dissipation," which had long been confined to a septennial general election, was so unfavourable to the morals of the people that it ought to have been entitled "a Bill for the encouragement of debauchery."

The fabian tactics of their antagonist were, however, better calculated to wear out the patience of the reformers than these denials and sneers to prejudice their cause. When Sheridan made his first motion in 1787, Dundas objected, with the sanction of the Speaker, that it was too late in the session to receive what was technically a private petition. In 1788, as Pitt expressed a desire to know its contents, the Bill was read a first time and ordered to be printed. In 1789 Dundas taxed the petitioners with demanding a remedy for grievances which might prove on examination to have no existence; and Sheridan, deferring to this objection, consented to withdraw the Bill and move for a committee of inquiry. At this point the town councils, conforming to the strategy of their general, contrived to keep the matter in suspense for three years, first by delaying to comply with the order for production of papers, and then by taking care to have no representative in London when Sheridan, in 1791, moved that the petitions and burgh accounts should be referred to a committee. It was, indeed, resolved that the committee should be appointed early next session; but the "man of talents" unaccompanied by integrity[1] was not yet at the end of his shifts. In 1792 he admitted that the councils were so far irresponsible that there was no legal authority for auditing their accounts; and, whilst offering to find a

[1] See p. 66.

remedy for this defect, which he had hitherto denied, he opposed the motion for a committee, which he had himself suggested, on the ground—surely the most singular that has ever been alleged for such a purpose in Parliament—that "it might give the country reason to believe that the grievances really existed, whereas he believed they did not." The motion was rejected by 69 votes to 27; and Dundas's idea of remedying the irresponsibility of town councils was disclosed in a Bill providing that the accounts of these bodies, which were still to be self-elective, should be audited by persons appointed by themselves. This scheme, repudiated by the last annual convention at Edinburgh, was soon dropped; and in 1793 the delegates had obtained not only the appointment of a committee, but the presentation of a favourable report, when, on the advice of their friends in London, they bowed to that French revolutionary terror which, in the words of their secretary, put "an end for a time to every idea of reform." Thus ended a project which had been in agitation for eleven years; and the member who had given a name to the *Rolliad* no doubt spoke for many more than himself when he said "that his regard for the constitution led him to oppose every motion for reform that had been or could be brought forward."[1]

The political career of Dundas was marked at almost every stage by the combination of audacity and caution—one might almost say, of effrontery and cunning—which characterised his attitude towards the question of burgh reform. In 1781 a loan of twelve millions had been raised by Lord North on terms so favourable to the lenders, who were chiefly supporters of the Government, that the shares could be sold at a profit of from 8 to 10

[1] *Parl. Hist.*, vols. xxvi.-xxix.

per cent. The Lord Advocate was then planning one of those changes of front which he had always in view when he talked of his independence; yet he did not scruple to scandalise public opinion by asserting that if any private advantages were to be derived from the subscription, "it was natural and justifiable for the noble lord in the blue ribbon to distribute these benefits among his friends."[1] Adam once defended the coalition of North and Fox by asserting that that of Dundas and Pitt was "to the full as extraordinary";[2] and, though this was rather an extravagant assertion, it may be noted that the man who, at no small sacrifice of consistency, had become the most zealous of Pitt's colleagues, was not the most steadfast during his temporary eclipse. When George III. in 1801 refused to consummate the Union with Ireland by assenting to Catholic Emancipation, Dundas retired with his chief; but the latter had too little faith in his friend's renunciation of office not to dissuade him from taking as his motto *Jam rude donatus*. Before the next year closed, Dundas had accepted a peerage from Addington, the new Premier, to the great surprise of Pitt, who had neither seen him nor heard from him for six months; in February, 1803, there was "a strong rumour" that he was about to join the Addington Ministry; and, a few months later, he inflicted a wound on Pitt's pride, which never wholly healed, by making, on behalf of Addington, "the very unexpected proposal" that the two statesmen should serve as Secretaries of State under the nominal premiership of Pitt's brother, the Earl of Chatham.[3]

The spirit of intrigue which every Ministerial crisis

[1] *Parl. Hist.*, xxii. 490. [2] *Ibid.*, xxiii. 999.

[3] *Life of Wilberforce*, iii. 219; Stanhope's *Life of Pitt*, iii. 426-427; Pellew's *Life of Lord Sidmouth* (Addington), iii. 116.

developed in Dundas is difficult to reconcile, not only with his public professions, but with the openness and geniality of his private life. The pietistic Wilberforce looked with suspicion on this "loose man" of very convivial habits and fashionable morals who had acquired so great an influence over Pitt; but he admitted his "frank and joyous temper," and, far from concurring in the common opinion of him as "a mean and intriguing creature," pronounced him "in many respects a fine warm-hearted fellow." There is no prominent politician of those days in the descriptions of whose character the word "manly" so invariably occurs; and amongst the details which produced this general impression may be mentioned a tall and imposing figure, a powerful and sonorous voice, an open, cheerful countenance, "tinged with convivial purple," and a blunt and forcible style of oratory, seldom aspiring to eloquence and enlivened with occasional flashes of coarse wit. "Never did any man," it has been said, "conceal deeper views of every kind under the appearance of careless inattention to self-interest."[1] It must not, however, be supposed that Dundas's pretensions to political disinterestedness and independence imposed on anybody who did not wish to be deceived. The King—not a very competent judge—always disliked him; in the opinion of Horace Walpole, he was "the rankest of all Scotsmen," notorious for rapacity and want of principle; Wraxall, whilst respecting his abilities, described him as carrying them to market and in his native dialect exclaiming "Wha wants me?"[2] Fox and Sheridan exhausted their ingenuity in comparing him to "a political weathercock"; and in the *Rolliad* his shamelessness and inconsistency are mercilessly satirised. The best of the "Political Miscel-

[1] Wraxall's *Memoirs*, ii. 221. [2] *Posthumous Memoirs*, i. 44.

lanies" appended to the criticisms on that imaginary epic is perhaps the parody of the witches' incantation in *Macbeth*; and amongst the ingredients thrown into the cauldron we find

> "Clippings of Corinthian brass
> From the visage of Dundas."

So distinguished and so whole-hearted a Scotsman was not likely to be judged by his own countrymen in any impartial spirit. It would, of course, have been impossible for Dundas in his legal, and afterwards in his political, capacity to dissociate himself from Scotland, had such been his wish, in the manner of Mansfield and Loughborough; but, unlike these great lawyers, who seldom or never revisited their native land and were at pains to eliminate all traces of it from their speech, he took a worthy pride in his northern birth, and furnished another proof of manliness by disdaining to address the House of Commons in accents more familiar to its ear than those of his northern tongue. One can easily imagine what merriment as well as indignation must have been caused when he coined for anti-American purposes his famous word *starvation*; and the uncouth tones and phrases, which gave a ludicrous turn to his most impassioned philippics, are said to have "chequered with momentary good humour the personalities of debate."[1] His political predominance in Scotland, if less interrupted, was never more complete than that of the third Duke of Argyll; but the democratic spirit, which hardly existed in the reign of George II., was now a growing power; and Dundas could not have obtained so great an ascendency if to manners far more popular than those of Argyll he had not added a much wider command of patronage. In the bestowal of all offices outside the

[1] Wraxall's *Memoirs*, ii. 221.

borders of North Britain Argyll had been dependent on the complaisance of Walpole, of Pelham or of Newcastle; but Dundas, besides being "the Minister for Scotland," was at one and the same time Treasurer of the Navy, leading member of the India Board, and either Home Secretary or War Secretary; and he had befriended the Jacobite interest no less decisively than Argyll by restoring, as we shall see, the forfeited estates. All the various departments which he managed or influenced, but especially that of India, were called into requisition to provide for Scottish peers, members and electors, their relatives and friends; and in the same spirit, quickened no doubt by patriotic motives, he pursued a policy which would be much appreciated at the present day—that of endeavouring to multiply places in Scotland and to direct thither as large a stream as possible of public money. As an example of this policy, it may be mentioned that he increased the number of royal chaplains from six to ten.[1] Lord Sydney, in forwarding to Pitt a list of Indian field-officers, remarked "I believe three are as many English and Irish names as there are among them."[2] His patronage was, of course, professedly administered only within party lines; but the man was not wholly merged in the Minister; and one of his opponents admitted that "there was scarce a gentleman's family in Scotland, of whatever politics," which had not received from him "some Indian appointment or other act of, in many cases quite disinterested, kindness."[3] Beautiful and high-born women are said to have been unduly favoured in his allotment of pensions;[4] but Wilberforce records with admiration that rank and

[1] Chambers' *Scottish Biographical Dictionary*, ii. 183.

[2] Stanhope's *Pitt*, i. 228. [3] *Ibid.*, i. 311.

[4] Wraxall's *Posthumous Memoirs*, i. 168.

nationality were alike disregarded when he assigned the Governor-Generalship of India, "the most important office in the King's gift," to Sir John Shore;[1] and a letter is extant in which he intimates to the Countess of Sutherland that no "person connected with the local or political interests of the county, or embarrassed in any degree by its local attachments," could be appointed sheriff.[2]

It was, however, as a master of electioneering that Dundas was and is best known to his countrymen, and he has been compared to a beacon—"the Pharos of Scotland"—guiding storm-tossed office-seekers to their desired haven. "Who steered upon him was safe; who disregarded his light was wrecked."[3] Lord Brougham was probably right in assuming that "the old feudal habits of the nation" were at least one cause of that "submission to men in high place" which was so much more absolute in Scotland than in England; and he has drawn a vivid and not unfaithful picture[4] of Scottish politics during the three years of Addington's Ministry, when neither Pitt nor Dundas was in power. "Those who are old enough to remember that dark interval may recollect how the public mind in Scotland was subdued with awe, and how men awaited in trembling silence the uncertain event, as all living things quail during the solemn pause that precedes an earthquake. It was in

[1] *Life of Wilberforce*, iii. 229. [2] Omond, ii. 157.

[3] Cockburn's *Life of Jeffrey*, i. 77. If Cockburn's estimate of Dundas seems to be too favourable for a Whig, it should be remembered that he was the statesman's nephew.

[4] *Statesmen of George III.*, i. 309. The impeachment of Lord Melville for malversation, which does not fall within the scope of this work, throws little additional light on his character. He was acquitted by a large majority, and the charges pointed to carelessness, not to greed, of money.

truth a crisis to try men's souls. For a while all was uncertainty and consternation; all were seen fluttering about like birds in an eclipse or a thunder-storm; no man could tell whom he might trust; nay, worse still, no man could tell of whom he might ask anything."

The effect of the French Revolution in arresting the municipal reform movement in Scotland was only one result of the great influence it was exerting on British politics. Ever since the deposition of James II. in 1689, the Whigs had regarded France as an irreconcilable enemy; and they viewed with general exultation the beginning of a course of events which threatened to put an end to her career as a despotic and aggressive Power. Even Burke, the most conservative of their number, whilst dreading the enthusiasm and ferocity of the French and doubting whether they were "fit for liberty," found it impossible not to admire their spirit; but the capture of the Bastille on July 14, 1789, which excited in him these mixed feelings, was hailed by Fox in terms of unqualified laudation—"How much the greatest event it is that ever happened in the world, and how much the best!" And this divergence of opinion between the two leaders continued to increase on the side of Burke till it had produced amongst their followers a complete schism. In February, 1790, their dissension was displayed for the first time in Parliament—the one rejoicing that the Revolution had been supported by the French army, the other denouncing its authors as "the ablest architects of ruin that had hitherto existed." Fox spoke so affectionately of his friend "that he was almost seen to weep"; but the effect of this personal appeal was quite spoiled by Sheridan, who applied to himself as Fox's counsellor certain strictures in Burke's speech, and attacked the latter in "as violent a philippic as he ever

uttered against Pitt or Dundas."[1] In the autumn of this year appeared the "Reflections on the French Revolution." The work made a profound impression, and was warmly commended by the Duke of Portland and other Whig nobles; but a party, which was not prepared as yet to admit its disunion, had good reasons for preferring Burke as a speculative writer to Burke as a practical politician, and, six months later, he was condemned to complete isolation in consequence of the speech (May 6, 1791), in which he pushed to a crisis the political dispute with Fox and publicly renounced his friendship.

However blind Burke may have been to the real significance of the Revolution as an immense step in human progress, he predicted, as early as November, 1790, that its reformed kingship would give place to republicanism, republicanism to anarchy, and anarchy to military despotism; and, when events began to shape themselves in accordance with this prediction without at all disconcerting the English clubs and societies which drew their inspiration from Paris, the disruption of the Whig party could no longer be concealed. Fox vehemently attacked the proclamation of May, 1792, in which the King warned his subjects against "divers wicked and seditious writings"; but it was cordially welcomed by the larger or "Portland part" of his friends, to whom indeed it had previously been submitted. Pitt offered to develop his alliance with this section of the Opposition by admitting them to a share of office; and, though his overtures produced no definite result at this period, the growing danger from France, which was now at war with Austria and Prussia, caused them to be renewed before the close of the year. On September 21 a

[1] *Life of Sir Gilbert Elliot*, i. 350.

republic was proclaimed at Paris after scenes of riot and massacre which engrossed the thoughts and even haunted the dreams of many sober people who, like Dr. Somerville, had contemned Burke's essay as "the ranting declamations of aristocratic pride and exuberant genius."[1] And even Burke's forebodings had fallen short of the truth; for the "architects of ruin" were exposing their neighbours to more tangible dangers than those of revolutionary contagion; and, far from having done more than "twenty Ramillies or Blenheims" to disable France, they were reviving her traditions as a conquering Power. On November 19 appeared the decree, translated into all languages, which promised assistance to any people which should rise against its rulers. Savoy and Nice were soon annexed, and British interests were directly menaced by the occupation of Belgium, the opening of the Scheldt, which had been closed to navigation by the Treaty of Utrecht, and the threatened invasion of Holland.

One member at least of the Portland group had been much chagrined at the failure of Pitt's overtures, and cordially welcomed their renewal. The great office, which the Coalition, had it triumphed at the general election of 1784, would certainly have bestowed on Lord Loughborough, still continued to elude his grasp; and he had suffered another disappointment in 1788-9, when the King became insane and recovered just in time to prevent his Chief Justice of the Common Pleas becoming Lord Chancellor under the Prince of Wales as Regent Thurlow, presuming on the royal favour, had long made himself obnoxious to Pitt, and on May 6, 1792, five days before the proclamation against seditious writings, he received notice of dismissal; but Thurlow's rival did not

[1] *Life and Times*, p. 265.

at once secure the reversion of his post. Pitt and his friends objected to a general coalition with the Whigs under a new Premier, and the Portland Whigs were still reluctant to accept the advice of Burke, who exhorted them to avow their separation from Fox and to permit Loughborough as their representative to enter the Cabinet. The Great Seal was, therefore, put into commission; and it was not till January 28, 1793, when the execution of Louis XVI. had deepened the Whig schism, that Loughborough attained the object of his ambition. He had been in no haste to quarrel with the Revolution; but he now expressed such horror of French republicanism and infidelity that Burke pronounced him "the most virtuous man in the kingdom." In July, 1794, the Duke of Portland himself and three of his friends took office under Pitt.

In February, 1793, for the fifth time during the eighteenth century, Great Britain and France found themselves at war. Within a few weeks the heads of clans were called upon to make their usual contribution to the forces of the Crown, and their response can have been none the less hearty because the disabilities and penalties of 1746-7 had recently been removed. During the American war, when so many kilted clansmen were attesting their loyalty in the field, the Highlanders had ventured, for the most part, to resume their native dress; and in 1782 the law which prohibited the wearing of tartan was repealed.[1] In 1784 the confiscated estates were restored; but, in order to avoid "giving a premium for rebellion," it was provided that the heirs of forfeited

[1] *Parl. Hist.*, xxiii. 113. Said Fraser of Lovat in supporting this measure: "When I tried, very lately, to ascend the mountains in the north in the very dress I have now the honour to address the House in, I found it difficult in the extreme, or, to speak more truly, impracticable."

persons should receive their property as it stood in 1747, and that the capital accruing from mortgages paid off by Government during its thirty-seven years of ownership should be devoted to the completion of certain public works—£15,000 to the Register House at Edinburgh, which had been built out of the produce of these estates, and £50,000 to the Forth and Clyde Canal.[1] In 1793-4, following the example of his father and Lord North, Pitt added five Highland regiments to the line; and during the war twenty-four additional battalions were raised in the Highlands, whose service was at first confined to Scotland and was never extended beyond England and Ireland. These "Fencibles" were, however, a nursery for the regular army, and many depleted regiments were filled up from their ranks.[2]

The outbreak of war was scarcely needed to complete the disruption of the Whigs; for, whilst one section had declared for Burke and repression, the other was emphasising its determination to persevere in the cause of parliamentary reform. In April, 1792, many of Fox's friends, without his sanction and probably even without his knowledge,[3] formed themselves into an association for the purpose of procuring more equal representation and shorter Parliaments, which they called "The Friends of the People." These objects were to be pursued rather in spite of, than in unison with, the French Revolution; but other societies existed whose Gallican sympathies were frankly avowed. The chief of these was the Society for Constitutional Information; and about this period some of its leading members either created or remodelled a still more extreme club, which was known as the London Corresponding Society. Both of

[1] *Parl. Hist.*, xxiv. 1319, 1367. [2] Stewart's *Highlanders*, vol. ii.

[3] Lord Holland's *Memoirs of the Whig Party*, i. 13.

these societies disseminated the works of Thomas Paine, who maintained that England's constitution—in so far as it had one[1]—had been poisoned by monarchy, and that even the Bill of Rights, that palladium of the Revolution Settlement, was "more properly a bill of wrongs and insult"; and on May 11 the parent society sent over a deputation to congratulate the Jacobins as "Brothers and Fellow-Citizens of the World."

Scotland was not inadequately represented among these leaders of radical reform. The Earls of Lauderdale and Buchan, Lord Daer, the Earl of Selkirk's eldest son, and Colonel Macleod of Macleod, member of Parliament for Inverness-shire, had joined the Friends of the People; and one of the society's joint-treasurers was Lord Kinnaird.[2] Returned in 1780 for a Cornish borough, Lord Maitland, as he then was, had distinguished himself as one of North's keenest opponents; and his liberal enthusiasm showed no diminution when, as Earl of Lauderdale, he was elected in 1790 to the House of Lords. A bold, restless, indefatigable man, with "a studied contempt of general opinion," he was admitted to the closest intimacy by Fox, who had been heard to say "I wonder how the world went on when there was no Lauderdale to help it, or what will become of it when he leaves it."[3] A man of much more extreme principles was Lord Sempill, an officer in the Foot Guards and a burgh reformer, who was frequently chairman of the Constitutional Society, and on November 9, 1792, signed as such a remarkable address to the French, congratulating them on the establishment of their blood-stained republic, and intimating that "the soldiers of

[1] Paine refused to recognise an unwritten constitution.

[2] Wyvil's *Political Papers*, iii. 129.

[3] Holland, i. 33.

liberty" were to be presented weekly for at least six weeks with a thousand pairs of shoes.[1]

The Friends of the People and societies of the more extreme type favoured by Lord Sempill soon extended their influence to Scotland; but the first impulse to disorder proceeded from the attitude of the Government towards municipal reform. In the spring of 1792 Dundas was burned in effigy at Aberdeen, Dundee and other towns; and Lanark all but demolished in person its hereditary provost. Letters threatening his life and property were dropped in the streets; his orchard was totally wrecked; and two shots passed unpleasantly near him as he sat in his house. On June 4, 1792, the King's birthday, a more serious disturbance commenced at Edinburgh. The magistrates, warned by placards of an intended demonstration against their patron, had obtained military assistance; and the populace on that day contented themselves with hissing and stoning the dragoons and throwing dead cats at the city-guard. On the following evening, however, they burnt a figure of straw before Dundas's house in George Square; and, when some of the statesman's friends attempted to drive them off, they broke his windows and also those of his nephew, the Lord Advocate. On the arrival of a detachment from the Castle, they became "outrageous," and, the troops after great provocation having been ordered to fire, several persons were wounded—one mortally. Next night they assembled in the New Town with a view to attacking the Lord Provost's house, but dispersed at once on the appearance of dragoons and marines.[2]

The agitation for burgh reform continued; but popular

[1] *State Trials*, xxxiv. 280, 303, 526.

[2] *Scots Magazine*, 1792, pp. 256, 307; *Memorandum on Scotland*, 1792, MS. Record Office.

passion, finding no outlet in this direction, was diverted into more dangerous channels. Branches of the new Whig society had been formed in various parts of Scotland; and the first step towards centralisation was taken on July 26, when a meeting at Edinburgh constituted itself a permanent society as "The Associated Friends of the People."[1] Dundas was kept fully informed by his correspondents as to the growth of this movement, and the accounts he received can hardly have contributed to his peace of mind. "Mad ideas" were said to be spreading in all the principal towns, except Aberdeen, where, indeed, a tree of liberty was planted, but proved to be "an idle, silly thing." In Dundee "the general disposition of the people" was very bad, all the lower classes and many of the merchants being "violent for reform." Perth was considered "a very dangerous place"; all the weavers were disaffected, and there were nine societies, about 1200 strong. At Montrose there was a society of 200, "very violent"; in several of the Fife burghs similar clubs had been established, and the Reformers boasted that they numbered 6000 at Stirling, and in the west—chiefly at Glasgow, Kilmarnock and Paisley—50,000. Small towns and even mere villages had their societies, and amongst "the disaffected" in those early days were not a few landed and professional men.[2] Meanwhile the General Association at Edinburgh was exerting itself to bring these scattered forces into

[1] Mr. Omond (ii. 184) is mistaken in saying that "the Scottish Branch of the Friends of the People met for the first time" at Glasgow on October 30, 1792.

[2] "There were few men of better rank and education who were not affected in some degree with the plausibility of the accusations brought against our excellent constitution." Somerville, p. 267. The first meeting of a society at Strathaven is said to have been attended by "sixty gentlemen of landed property." *Memorandum*, MS.

line. During the month of September committees were appointed—one for declaration, another for correspondence, another for organisation; and a circular letter was prepared and approved, inviting the local societies to send members to a general convention which was to be held on December 11. These steps were ratified by a more representative body, consisting of delegates from all the societies in and around Edinburgh, on November 21; and two resolutions were adopted and sent to the newspapers—one that, if any member was found guilty of riot or sedition, his name should be expunged, the other that any member unjustly punished by "the arm of power" should be protected by the society to which he belonged. Colonel Macleod attended this meeting and greatly delighted the delegates by assuring them that "he would support their liberties with his pen, and, if necessary, defend them with his sword at the peril of his life."[1]

That a society should have been established to procure by constitutional means more representative and shorter Parliaments was not in itself either a novel or an alarming fact; but some of the members had undoubtedly deeper designs; and the controversy aroused by the French Revolution had excited an extraordinary ferment in the public mind. A writer in the *Scots Magazine* for October, 1792, remarked that the "keenness of political inquiry, which for a long time seemed to be confined to England, has now reached this northern clime"; and, referring to the effect produced by the writings of Burke and Paine, he said that "one half of the people seem to have become politically mad." Not only amongst the weavers of Dundee and Paisley, but in remote rural districts Paine's *Rights of Man* found

[1] *Memorandum*, MS.; *Scots Magazine*, 1792, pp. 411, 569.

many readers. A Dumfriesshire baronet, writing to the Duke of Buccleuch,[1] said that a twopenny abridgment of this pamphlet was "in the hands of almost every countryman"; and, with a view to enlightening the Highlanders, it was translated into Gaelic. The proclamation of May 25 served merely to advertise Paine's writings; and, when it was read at Banff by the town crier, a Mr. Leith, president of the local society, followed him through the streets "abusing and interrupting him." Dr. Somerville spent much of his time going from house to house amongst his parishioners at Jedburgh to combat the spread of seditious principles, but found all his efforts "unprofitable and fruitless."[2] Medals stamped with democratic mottoes were sent out anonymously from Edinburgh; and towards the end of September Captain Johnston, chairman of the General Association and formerly an officer in the army, established the *Edinburgh Gazetteer*, the prospectus of which announced that it should "attach itself to the party of the people." Dundas was told that this paper "makes the farmers wild for Reform"; and one of his spies assured him that he had attended a meeting at which it was said that a king ought to be sacrificed to the people once in every hundred years.[3]

To political was added social discontent. The weather during the greater part of 1792 was exceedingly wet and inclement, and on June 24 the Border districts experienced a short but violent storm of snow and huge hailstones, the effect of which was described as "Christmas Day in the midst of summer." The harvest, though late, appears to have been less deficient than in England; but the long-continued rains had much impeded the

[1] Letter of Sir Wm. Maxwell, Nov. 19, 1792, MS. Record Office.

[2] *Life and Times*, p. 267. [3] *Memorandum*, MS.

cutting and drying of peat, and the country people, particularly in the north, suffered greatly from want of fuel. In Ross-shire the displacement of labour due to the introduction of sheep-farming provoked a very serious disturbance, which, however, cost no lives, though the peasantry had purchased £16 worth of powder. Throughout the Lowlands the "toll money" necessitated by new and improved roads was much resented by the poor, and riots due to this and other fiscal grievances were reported from Dunse, Langholm, and Newburgh. In certain districts the colliers refused to work, influenced, it was supposed, by "some new notions"; and a prolonged strike of sailors took place at Leith and Aberdeen, as well as at various English ports. These outbreaks had little in common with the great festival held at Sheffield on October 22 to celebrate the retreat of the Allies from France; but something of this kind did occur, about three weeks later, at Dundee. The disturbance was said to have been caused by the high price of meal; but a tree of liberty was planted, bells were rung, a huge bonfire was made of oil-cakes, and cries were raised of "No Excise," "No King."[1]

Prefaced by these signs of excitement and tumult, "The Convention of Delegates of the Associated Friends of the People" met at Edinburgh on December 11, 1792. The delegates numbered about 140, and of these the Edinburgh societies returned considerably more than a third. The most influential members were Lord Daer, Colonel Dalrymple, and Thomas Muir, an advocate and Vice-President of the General Association. Several indiscreet speeches were made; but the Government, on reading the information supplied by its emissaries,

[1] *Annual Register*, 1792, pp. 26*, 44*; *Scots Magazine*, 1792, pp. 568, 620; *Memorandum*, MS.

must have been relieved to find that "distrust and want of harmony" were conspicuous in the debates. The first step of the delegates was to verify their powers, and some of the commissions were said to begin "Citizen President." An election to offices was then proposed. Lord Daer, however, reminding his "Fellow Citizens" that they were pledged to liberty and equality, cautioned them "against the establishment of an aristocracy in their own body"; and, Colonel Dalrymple having spoken to the same effect, it was agreed that the office of president should be held from day to day. Daer suggested certain rules for the conduct of business, every one of which was opposed by Muir; but the first serious dissension seems to have arisen when the latter read and commended an address from the United Irishmen of Dublin. In one passage of this paper satisfaction was expressed that Scotland "now rises to distinction, not by a calm, contented, secret wish for a reform in Parliament, but by openly, actively and urgently willing it with the unity and energy of an embodied nation." Daer, Dalrymple, and other speakers commented on these words "as bordering on treason"; and it was resolved that the address "shall not lie on the table." In advocating a petition to Parliament, Muir insisted that their great object must be to obtain a vote for every man over twenty-one years of age; and at the close of the proceedings we find him complimenting his associates on "the little regard they have paid to the authority of leaders." Several persons dissented from the petition on the ground that it mentioned "King, Lords and Commons"; and a motion was said to have been made, but withdrawn, that every delegate should be provided with a musket and bayonet "to repress any appearance of riot or sedition." The climax of excitement was, how-

ever, reached when the members rose from their seats, and, with right hand uplifted, took "the French oath to live free or die"—much to the dismay of Colonel Dalrymple, who had consented with great reluctance to take the chair at the first day's meeting on the ground that, being a military officer, he might be charged "with a design of raising a rebellion." On December 13 the Convention adjourned till the following April.[1]

In the course of its debates the Convention had discussed the propriety of uniting with the Burgh Reformers, and a motion to that effect had been lost by the narrow majority of 42 to 40.[2] We have seen that these men had made it a principle of their agitation not to touch, directly at least, the political status of the town councils; but several of their Scottish leaders, such as Lauderdale and Daer, had enrolled themselves as Friends of the People, and it was not without some vacillation and dissension that they adhered to their original design. At a general meeting in Edinburgh it was resolved with practical unanimity that a deviation into the path of parliamentary reform would be contrary to the "original constitution"; but at a subsequent committee meeting a disposition was shown to reconsider this step. The proposal was, however, warmly condemned by Henry Erskine, who had not attended the committee, as a breach of faith, and it must soon have been dropped. Erskine had served for five months as the Coalition Lord Advocate, and had recently succeeded Dundas as Dean of Faculty. He was, of course, favourable to Parliamentary reform; but, thinking this "the most improper

[1] *Memorandum*, MS. A brief and expurgated summary of the minutes of the convention was published. *Parl. Hist.*, xxxi. 870. Colonel Macleod's parliamentary duties were probably the cause of his absence.

[2] *Memorandum*, MS.

time" to bring forward such a measure, he had declined to join the Friends of the People at the solicitation of his two brothers, the Earl of Buchan and Thomas Erskine, who was soon to be Lord Chancellor.[1]

When we consider that the country was rapidly advancing in population and wealth, and that the reforming movement initiated by the fall of North's Ministry was still in progress, it is not difficult to account for the effects produced in Scotland by the French Revolution; but the upper classes, confronted for the first time by a really democratic spirit, looked upon it as an aggravation of the evil that such a ferment had arisen at a period of growing industry and trade. Whilst expatiating with just pride on the excellence of what had once been the English, and was now the British, constitution, conservative pamphleteers appealed to national prosperity in mitigation of its defects, and were fond of quoting the epitaph on a valetudinarian in Addison's *Spectator*—"I was well, I would be better, and here I am." If the people complained that they had no voice in public affairs, they were offered the illogical consolation that Lauder and Jedburgh with representation were much less flourishing places than Hawick and Greenock without it, or the unchristian one that the great majority of wealthy men were in the same position; and, if anybody insisted that, at all events, bogus freeholders and self-elective corporations could not be defended, he was reminded that there was a limit to that "pitch of perfection to which one may reasonably expect human nature and human affairs to attain." Towards the end of 1792, town councils, merchant and

[1] Fergusson's *Henry Erskine*, pp. 331-335, 339-344. Colonel Fergusson makes the serious mistake of confounding the convention of Burgh Reformers with the Convention of Royal Burghs.

trade guilds, inhabitants of towns and parishes, and even the Edinburgh Burgess Golfing Society began to pass resolutions "in support of the constitution"; suggestions were made, and in some cases adopted, that workmen and servants who had attached themselves to the Friends of the People should be dismissed from their employment; and probably not a few persons were as much alarmed as the writer to the newspapers, whose imagination, distorted by the lurid glare of Paris, represented every reformer he met "as carrying a dagger or a torch in his hand to stab myself or to burn my wife and children."[1]

Early in 1793, prompted no doubt by this general alarm, the Crown lawyers addressed themselves to the task of repression. Pamphlets gave rise to three of the six prosecutions which were instituted during the months of January and February, and two of these publications were certainly seditious—one in which the people were advised to present their petitions for reform, not to the House of Commons, which was "a vile junto of aristocrats," but to the King, and, if he did not afford them redress, to refuse payment of taxes;[2] the other describing Parliament as "a mere outwork of the Court, a phalanx of mercenaries," who had imposed taxes for which they deserved to be hanged. Two over-zealous reformers were charged with founding an association at Partick, "under the name of the Sons of Liberty and the Friends of Man," to propagate the doctrine of that

[1] Collection of Anti-Reform pamphlets in Edinburgh University Library.

[2] It must be confessed that some of the Friends of the People were not very careful to distinguish between constitutional and seditious agitation; for the Canongate Society resolved to support the family of James Tytler, an Edinburgh chemist, the outlawed author of this pamphlet.

"immortal author," Thomas Paine; and three penitent young printers were condemned to several months' imprisonment for having proposed a seditious toast, "George the third and last, and damnation to all crowned heads," whilst drinking with some soldiers in Edinburgh Castle. A similar sentence was passed on Captain Johnston, proprietor of the *Edinburgh Gazetteer* for publishing what was alleged to be an untrue and unjust account of this trial. In several of the cases proceedings were adjourned in order to allow time for the apprehension of one of the accused, and were not resumed. Such remissness or clemency on the part of the public prosecutor received no encouragement from the judges, for the most remarkable feature of these trials was the illiberal and even brutal temper displayed on the bench. Lord Abercromby in the Edinburgh Castle case remarked that if the youthful toast-drinkers had "gone a little further they would have been guilty of high treason"; and Lord Henderland said he would have had no hesitation in banishing them to Botany Bay, had they been "aged and inveterate offenders whom there were little hopes to reclaim—be they of what profession they may—the more literary the better for such punishment."[1]

It was not the fault of the Government that no reference was made in the course of these proceedings to the late Convention; for Muir, who had been so conspicuous in that assembly, was arrested on January 2, and, having gone to France, professedly to intercede for the life of Louis XVI., he forfeited his bail and was declared an outlaw. Returning at the end of July, he was at once apprehended, and appeared before the High Court of Justiciary on August 30. It is unnecessary to recapitu-

[1] *State Trials*, xxxiii. 1-115.

late the history of this thoroughly infamous trial. The principal articles of the indictment were that the prisoner had made seditious speeches, had circulated Paine's and other seditious writings, and in the Convention had read and commended the intemperate, but by no means criminal, address from the United Irishmen. The prosecution failed to prove or even to insinuate that Muir had incited to sedition, and, with the exception of one most suspicious witness—a maid-servant of surprising erudition—the evidence went to show that, far from urging people to read Paine's book, he had warned them against its errors. It was no doubt as the most zealous of the Friends of the People, and the only one of their leaders who had defended the Irish address, that Muir was condemned. Posterity, to which the hapless prisoner appealed, has admitted the justice of his plea that his real offence was the advocacy of parliamentary reform; and Lord Braxfield, in summing up, put this beyond a doubt when he said that in his opinion it was sedition to go about among the lower classes and induce them "to believe that a reform was absolutely necessary to preserve their safety and their liberty." Tried by a jury drawn wholly from a constitutional or "Burkified" society which had refused to admit him to its membership, denounced by the Lord Advocate as "tainted from head to foot," as "unworthy to live under the protection of the law," and bullied by judges who paraded their belief in his guilt, Muir can have had no hope of acquittal; but he was probably as much surprised as the public when he found himself sentenced to transportation for fourteen years. Such a sentence, after the authors of a pamphlet describing Parliament as fit for the gallows had been punished with a few weeks' imprisonment, was too much even for the "Burkified" jury, and they are said to have

resolved on a petition when fears of assassination impelled them to disperse.[1]

A fortnight after the conclusion of this trial another victim was found in Thomas Fyshe Palmer, a Unitarian clergyman, who had revised and published a pamphlet in which the people were exhorted to assert their right to universal suffrage on the ground that the House of Commons had joined the coalition against them, that the little liberty they still possessed was "fast setting, we fear, in the darkness of despotism and tyranny," and that "a wicked ministry and a compliant Parliament" had plunged them into a war, "the end and design of which is almost too horrid to relate—the destruction of a whole people merely because they will be free." Such language was certainly more like sedition than anything that had been alleged against Muir; and, if the latter had not suffered as an example to the Friends of the People, it is difficult to account for the fact that he was transported for fourteen years, whilst this member of a more extreme society—the Friends of Liberty at Dundee[2]—was transported for only seven. In dealing with Muir both prosecutor and judges laid stress on the fact that he had agitated for reform at a time of great discontent, when "good men felt and trembled"; but Lord Abercromby, in summing up against Palmer, pronounced it an aggravation of the charge that he had disturbed the country when it "was enjoying peace and tranquility," and "all alarm had ceased."[3]

This tranquil state of affairs had lasted since the

[1] *State Trials*, xxxiii. 118; Cockburn's *Sedition Trials*, i. 144.

[2] This society was affiliated to the Friends of the People, for it was represented at the Convention of October, 1793, by George Mealmaker, a weaver, who was the original author of Palmer's pamphlet.

[3] *State Trials*, xxxiii. 238; Cockburn, i. 184.

beginning of the year and was to continue till the autumn. The enthusiasm displayed at the Convention did not long survive its adjournment on December 13. According to information transmitted to Dundas during the next month, the Edinburgh societies, despite the exertions of Lord Daer and Colonel Macleod, seemed to be "much out of spirits," their meetings were thinly attended, and more than one member had proposed that, considering the discredit into which their principles and their very name had fallen, the Friends of the People "should lie by and wait the event of their petition." On March 1, 1793, it was reported that the Lawnmarket Society had ceased to meet, and that the Abbeyhill Society had not only dissolved itself but burnt its books.[1] At the end of April, however, the Convention reassembled in somewhat diminished numbers, and seems to have been occupied chiefly in collecting addresses.[2] On May 6 petitions for reform were presented to the House of Commons from several English and from fourteen Scottish towns, and on the same day Grey presented the well-known petition from the Friends of the People, in which the anomalies of representation were temperately, but forcibly, exposed. Grey's petition was rejected by 282 votes to 41; and from this point the agitation in Scotland entered on a more dangerous phase.

The fate of Muir, far from intimidating the reformers, at once aroused them to "new life and vigour"; and the magistrates of Edinburgh caused Dundas to be informed that the meetings of the societies had again become frequent, that inflammatory papers were posted up, and that

[1] Letter of J. B. to Dundas (Record Office) which ends thus: "You must allow you are considerably in my debt. Send me five guineas and let us discharge one another."

[2] *Parl. Hist.*, xxxi. 866.

several of the jury had received threatening letters.[1] The first Scottish Convention, and no doubt also the second, had been affiliated to no English society but that of the Friends of the People; but on May 17, 1793, the London Corresponding Society wrote to the Edinburgh reformers, expressing a desire for union, and, as all the petitions had been unsuccessful, requesting their advice with regard to the adoption of "some more effectual means," which, however, were still to be constitutional. In his reply to this letter Skirving, the Edinburgh secretary, warmly commended the project of union and remarked that, as the Scottish societies were more democratic than the English—were in fact "the people themselves"—they were not unfitted to take the lead. Palmer's pamphlet, intended to rouse popular enthusiasm, was circulated by Skirving; and he no doubt hoped to see a union accomplished when the Convention reassembled, as had been agreed at its last meeting, on October 29. A number of English societies intimated their concurrence, but very few of them sent representatives, and the delegates that were sent arrived too late. The London Friends of the People were also said to have expressed approval, but this can hardly have been unqualified; for as early as July 23 their secretary had stated that a meeting of delegates would "operate, like many rash steps of some who wish well to the cause, much to its disadvantage"; and, writing on the day of meeting at Edinburgh, he expressed a hope that "none of the violence which has done mischief to the cause of reform in England will be imported into the Scottish Convention."[2]

As the vagueness of the recent petitions had been cited against them, the October Convention passed

[1] Sept. 7, 1793, MS. Record Office. [2] *Parl. Hist.*, xxxi. 815, 842.

resolutions in favour of manhood suffrage and annual elections; and, having condemned the slave trade and resolved to present another petition to the House of Commons, it adjourned till the following April on November 1. A few days later, four English delegates arrived—Gerald and Margarot from the London Corresponding Society, Sinclair from the London Constitutional Society, Brown from a society at Sheffield, and two United Irishmen who were not delegates—Butler and Hamilton Rowan. Recalled by a summons from Skirving, the members reassembled on November 29. They now styled themselves "The British Convention of Delegates of the People, associated to obtain Universal Suffrage and Annual Parliaments"; and much enthusiasm was evoked by this spontaneous union of two nations as "an event unparalleled in the history of mankind." They courted publicity, and the authorities did not interfere till a resolution was passed that on the first announcement of a Bill to prohibit conventions or to suspend the Habeas Corpus Act, or in case of invasion or the admission of foreign troops, they should meet at a place to be fixed by a secret committee. On December 5 Skirving and several other members were arrested, and the Convention was dispersed. It reassembled at the Canongate Lodge, but on the following evening, deferring to a mere show of force, it finally broke up.[1]

Men who had suffered for the writing or circulation of thoroughly seditious pamphlets were invariably regarded as martyrs by these Friends of the People; but it is stated on the authority of moderate Whigs, who disapproved of the Convention but were intimately acquainted with its

[1] *State Trials*, xxxiii. 391. Lord Daer was still a member of the Convention, but not Colonel Macleod, who thought that the people were "not ripe at present for universal suffrage and annual elections."

proceedings, that it aimed at nothing more than the advocacy of its two avowed demands; and Skirving at his trial explained certain peculiarities of its procedure by saying that he and his friends meant to hold up "empty bugbears to the deluded as nurses do to children to frighten them to sleep." If fright has ever been known to induce sleep in children, it had quite the opposite effect on the public, particularly as the "bugbears" had been imported from France. The delegates addressed each other as "Citizen" or "Citizen President"; they divided themselves into sections, which met at such places as Liberty Court or Liberty Hall, and submitted reports, some of which began *Vive la Convention* and ended *Ça ira*; it was even proposed to parcel out the country into departments; and the minutes were inscribed "1st year of the British Convention." Approximating thus closely in form to its prototype at Paris, the Convention was assumed to be no less republican in spirit; and the existence of Crown and Parliament was believed to be endangered by this assembly of Scottish mechanics, which became "British" on the arrival of four English delegates, collected its revenue in a plate at the door, noted "2s. 6d. of overplus at dinner," and awarded to the patriotic donor of 5s. an honourable mention in its minutes. Nevertheless, "the wit and humour of a very few individuals," alleged by Skirving to be the authors of this farce, might surely have devised a less dangerous pastime than that of playing at the French Revolution; for Scottish judges and juries could hardly be expected to appreciate the jest. In 1794 sentences of fourteen years' transportation were passed on Skirving and two of the English delegates, Margarot and Gerald. Proceedings were instituted, but abandoned, against Sinclair, another English delegate; and

Scott, the printer of the *Edinburgh Gazetteer*, was outlawed.

The dispersion of the British Convention was keenly resented by its friends in England. At a meeting on January 17, 1794, the Constitutional Society passed a series of resolutions denying the duty of obedience to law when it had become an instrument of oppression, declaring that the time was fast approaching when tyranny must be opposed "by the same means by which it is exercised," and extolling the conduct of their Scottish comrades who, "though assailed by force, had not been answered by arguments." Three days later, the Corresponding Society ordered a hundred thousand copies to be printed of an address to the people in which Englishmen and Irishmen were exhorted to stand or fall with those patriots at Edinburgh who had suffered from "the wicked hand of power"; and, repeating in almost identical terms the resolution which had led to that disaster, they determined that "upon the first introduction" of any measure hostile to liberty, such as a motion for bringing in foreign troops, for suspending the Habeas Corpus Act, for instituting martial law or for prohibiting the meeting of delegates, the representatives of each division and the secretaries of affiliated societies should be summoned to concur in "a general convention of the people." Both address and resolution were adopted by the Constitutional Society; and, though no action was yet being taken in Parliament, a joint committee had been appointed to organise "another British Convention" when the papers of the societies were seized and their leading members arrested. Margarot, writing from captivity at Edinburgh, had advocated the forming of "armed associations"; and in a handbill distributed by the Corresponding Society the same advice was given—

"Get arms and learn the use of them." It subsequently transpired that in several places in and around London men were being secretly trained to the use of firelocks, and that pikes and caltrops were being manufactured at Sheffield. The papers of the societies, having been laid before Parliament, were referred to a secret committee, and the presentation of its report was followed by a Habeas Corpus Suspension Act. In the autumn several of the prisoners were brought to trial for high treason; but Thomas Erskine argued that their proceedings, however seditious, could not justify so grave a charge, and all of them were acquitted.[1]

Those of the Scottish reformers, mostly of humble rank, who had not grown weary of agitation, threw themselves heartily into this scheme. The British Convention had enjoined its members to impress upon their constituents the necessity of choosing new delegates and contributing to their support; and, under the direction of a Committee of Union, acting in concert with the London societies, delegates were elected at Perth and Strathaven, and probably at other places, to attend the convention which was to be held in England. The Committee of Union had, however, a secret executive of seven, known as the Committee of Ways and Means; and this council had engaged in more audacious designs. The Commons' Committee of Secrecy presented its second report on June 6, 1794; and, a month or two later, Watt and Downie, the leading Scottish agitators, were tried for high treason. The evidence showed that an insurrection had been planned; that emissaries had been sent on this quest to Paisley, which was "in a state of great readiness," and to other manufacturing towns; that attempts had been made to seduce the troops, or at

[1] *State Trials*, xxxiv. 351, 353, 357, 442, 564; *Parl. Hist.*, xxxi. 892.

all events to dissuade the Fencibles from serving in England; that the inevitable pikes had been forged; and that Watt had proposed a scheme for kidnapping the Edinburgh garrison and surprising the Castle. Both men were convicted, but Watt alone suffered death. This person had recently been in correspondence with Lord Advocate Dundas; but the argument of his counsel that he had engaged in this conspiracy with a view to giving information to Government was refuted by the prisoner himself in a sealed confession. His zeal for democracy, once the mask of an informer, had apparently become sincere.[1]

Scotland and England had thus each in turn become a focus of revolutionary intrigue, and now the centre of agitation was to be shifted to Ireland. Abuses of patronage and representation were naturally carried to great lengths in Ireland after the Parliament in 1782 had achieved legislative independence; and corruption was a more serious evil in Dublin than at Westminster since it maintained the predominance, not of a party, but of an alien Government. The influence of the American Revolution had induced the Protestant Irish to assert the freedom of their legislature, and the effect of the French Revolution was to inflame them against the system by which that concession was neutralised. Sir Samuel Romilly remarked that the impression produced in Ireland by Paine's reply to Burke was "hardly to be conceived," and that if any violent outbreak was to be apprehended, it would certainly begin there.[2] In 1791 Wolfe Tone founded at Belfast the Society of United Irishmen. Its object was to enlist both Protest-

[1] *State Trials*, xxxiii. 1167; xxxiv. 1; *Parl. Hist.*, xxxi. 895. There are several letters from Watt in the *Memorandum* so often cited.

[2] Romilly's *Memoirs*, i. 427.

ants and Catholics in an attempt to combat English influence "by a complete and radical reform of the representation of the people in Parliament," and it anticipated the British societies in demanding universal suffrage and annual elections. For several years, during which Presbyterian Ulster was its chief support, it continued to agitate on these lines; but religious dissension soon revived; Ulster Radicalism developed into Orangeism; and in 1796 the United Irish consisted mainly of Catholics who were conspiring with France to establish an independent republic.

By this time the Friends of the People and even that very extreme body, the Society for Constitutional Information, had desisted from their labours;[1] but the London Corresponding Society was no less active and even more mischievous than ever. Republican and treasonable designs are said to have been no longer concealed at its meetings, and most of the affiliated societies had been reconstituted on the Irish model as societies of United Englishmen. In Scotland the remnants of an earlier system had undergone a similar development, and societies of United Scotsmen[2] existed amongst the weavers of Fifeshire and Forfarshire, but principally at Glasgow and throughout the industrial districts of the west. These Scottish clubs appear to have approximated more closely than the English to the organisation which had been established in Ireland. Their basis was societies of not more than sixteen members; and over these by successive delegations was formed a hierarchy of committees—parochial, county, provincial and national. A secret executive of seven, nominated by

[1] *Parl. Hist.*, xxxiv. 641.

[2] Mr. Omond (ii. 194) confounds this movement with the British Convention of 1793.

the national committee, which usually met at Glasgow, governed the whole. Elections were conducted in such a way that the persons chosen were known only to the secretary, and various oaths were exacted, one of which bound the subscriber never to inform or give evidence against any member. Three repressive measures had recently become law—one to put down seditious meetings, and two to extend the law of treason; and, in order to check this subterranean activity in favour of Irish rebels and foreign enemies, an Act was passed in 1797 against the imposition of unlawful oaths. George Mealmaker, a Dundee weaver, who had written the pamphlet for circulating which Palmer had suffered, was sentenced under this statute to fourteen years' transportation; and James Paterson, another United Scotsman, was transported for five years.[1]

The liberal spirit, which had at last asserted itself in Scottish politics, was not to be extinguished either by external pressure or by its own excesses; but for many years it seemed to be utterly crushed. The supremacy of Dundas, won by his own exertions, cannot have been difficult to maintain; for the dread of Jacobinism had created an enthusiasm for submission, and had put an end, as we have seen, to the powerful movement in favour of burgh reform, which, had it succeeded, must have sapped the basis of his power. Throughout Great Britain the controversy excited by the French Revolution embittered social as well as political life; but in Scotland its influence knew no bounds. "Everything," it has been said, "not this or that thing, but literally everything, was soaked in this one event."[2] The persistence of feudal habits and ideas,

[1] *Parl. Hist.*, xxxiv. 600-606, 641; *State Trials*, xxxvi. 1135.
[2] Cockburn's *Memorials*, edition 1874, p. 70.

which we have so often had occasion to remark, probably contributed as much to this result as temporary panic. Braxfield, who as Lord Justice-Clerk presided at the trial of Muir, was no doubt the worst specimen of his class; but in his own brutal fashion he was merely expressing the sentiment of what Lord Cockburn calls "the hard old aristocracy" when he said from the bench: "A Government in every country should be just like a corporation; and in this country it is made up of the landed interest, which alone has a right to be represented. As for the rabble, who have nothing but personal property, what hold has the nation on them?" Such being the temper of the time, Henry Erskine had certainly the courage of his opinions when in November, 1795, he took part in a public meeting to protest against the Sedition and Treason Bills, and it is not surprising that the Faculty of Advocates resolved by a large majority to dispense with his services as Dean. Erskine pointed out to his leading opponents that "political discussions and considerations" had never influenced the bestowal or the tenure of this post; and they of course retorted that the issue at stake was "nothing less than this, whether the happy government and constitution of these realms shall stand or fall?"[1] Other instances of intolerance are recorded more difficult to credit. Young men of birth or promise, on seeking admission to the Bar, were expected to subscribe a political confession; and a certain advocate, who had refused this test, found it advisable to serve for a time as a Fencible officer in Ireland. Most of the leading Edinburgh Whigs were advocates, and thirty-eight of the Faculty voted against the dismissal of Erskine. These and other gentlemen were wont to dine together on Fox's birthday, and

[1] Fergusson's *Erskine*, appendix, No. 5.

sheriff's officers were usually stationed at the door to take down their names. An Edinburgh congregation, whose senior minister had died, petitioned Government, which held the patronage, that the second minister should be promoted to his place. "A member of the Cabinet," who can hardly have been other than Dundas, replied "that the single fact of the people having interfered so far as to express a wish was conclusive against what they desired; and another appointment was instantly made."[1]

Here we conclude our survey of the political condition of Scotland during the latter half of the eighteenth century, and the reader need hardly be reminded how greatly that condition had changed. The national and ecclesiastical interests which gave to the Scottish kingdom its distinctive character had lost their significance at the Union, and for more than fifty years the Scots had failed to assimilate the constitutional tradition which had so long ennobled the public life of England. From the accession of George III. we have seen that three successive causes had operated to dispel this torpor—the pretensions of royal absolutism, the revolt of America, in so far at least as it contributed to the fall of Lord North, and the French Revolution. The first cause had provoked some of the peers to attempt the recovery of their electoral freedom; the second had prompted the middle class to engage in an eleven years' struggle for municipal reform; and the third had revealed a new world of thought and action to the masses of the people. There was truth as well as eloquence in these words of the Constitutional Society to their friends in France: "The sparks of liberty preserved in England for ages, like the coruscations of the northern aurora,

[1] Cockburn's *Memorials*, pp. 78, 80.

served but to show the darkness visible in the rest of Europe. The lustre of the American republic, like an effulgent morning, rose with increasing vigour, but still too distant to enlighten our hemisphere, till the splendour of the French Revolution burst forth upon the nations in the full fervour of a meridian sun. . . . It dispels the clouds of prejudice from all people, reveals the secrets of all despotism, and creates a new character in man."[1] Nor could religion any more than politics escape the illumination of these piercing rays. Only a few years had passed since the claim of the masses to participate in public affairs had been limited to the election of their pastors, and Hume's criticisms, addressed to the learned, had been the worst assault—and none could be more deadly—that orthodoxy had to face. Now ultra-democratic and even republican ideas were being debated and propagated throughout a network of village clubs, and such doctrines were none the less popular because they emanated from a writer who was so far from respecting what Hume called "our most holy religion" that he pronounced more than half of the Bible to be more like "the work of a demon than the word of God." Scotland could not have been so profoundly affected by the French Revolution if economic forces had not previously transformed its industrial life; but, before the action of these forces is considered, it will be well to extend our survey from civil to ecclesiastical politics.

[1] *State Trials*, xxxiv. 527.

CHAPTER IV

ECCLESIASTICAL POLITICS

THE ecclesiastical system of Scotland had long provided the only outlet for its popular spirit; but at the beginning of the period with which we are concerned Presbytery retained little of its vigour, and the Church was fast approximating to the repressive ideas which we have found to be dominant in the State. The law which placed benefices at the disposal of laymen was an instrument rather than a cause of this change, and opinion favourable to its exercise was of recent growth. Patronage had been abolished in 1690 in so ambiguous a manner that it was commonly supposed to have been merely transferred to the heritors and elders; its revival in 1712 was one of several political measures designed by the Jacobites to weaken the Church; and, after the accession of George I., when Whig counsels once more prevailed at Court, there was a general disposition on the part both of the Crown, in whose gift were more than a third of the livings,[1] and of private patrons to

[1] In *Scotland and the Union*, p. 237, I stated on the authority of Professor Hutcheson that the Crown had the right of presenting to 550 out of 950 livings, and Carlyle in his ironical attack on the *Tragedy of Douglas*, p. 20, exceeds this statement, estimating the Crown patronages as more than two-thirds of the whole. That both these writers were greatly in

concur with the congregation in making a settlement, or, more frequently, to allow a section of the Act to come into force which provided that, if the patron did not present a qualified minister within six months, the right of presentation "for that time" should pass to the presbytery. The method to be followed in appointing pastors was thus left in great measure to the discretion of the Church; and, until a sharp division had disclosed itself as the result of certain doctrinal disputes,[1] no serious objection was made to the filling of vacancies, either independently or in concurrence with the patron, according to the rule introduced at the Revolution, which gave no more power to the congregation than that of appealing to the presbytery against any minister who should be proposed for its acceptance by the heritors and elders. When, however, it had become evident that this method was no barrier to the admission of ministers popularly supposed to be lukewarm or unsound, the Covenanting tradition still cherished by the masses found expression in a species of Christian socialism, which asserted that "a piece of land" could give no pre-eminence in a kingdom which was not of this world, that the poor, rich in faith, were preferable to the "man with the gold ring and gay clothing," that the Church

error is evident from the following table compiled from a most judicious pamphlet, *Thoughts of a Layman concerning Patronage and Presentation*, 1769, p. 35:

Benefices in hands of Crown,	334
„ „ „ Nobles,	309
„ „ „ Gentry,	233
„ „ „ Royal Burghs,	45
„ „ „ Colleges and Universities,	18
„ „ „ Burghs of Barony,	2
„ sold under Act of 1690,	3
Total,	944

[1] See *Scotland and the Union*, chap. vi.

recognised heritors no more than patrons, and, in short, that the call to a minister ought to be subscribed, not by heritors as such, but by communicants,[1] or at least by the heads of families. Such teaching, prevalent in certain districts, brought the local courts into collision with the Assembly; "riding committees" were appointed to *override* the reluctance of presbyteries to ordain obnoxious candidates; forced, even violent, settlements not infrequently occurred; and a crisis arose in 1732, when the rescinded statute of 1690 was converted, in a still more stringent form, into an ecclesiastical law. This Act of Assembly, having caused the Secession headed by Ebenezer Erskine, was repealed two years later, when a fresh attempt was made to procure the abolition of patronage, undogmatic preaching was censured, and non-intrusion was even declared to be a principle of the Church; but these concessions to popular feeling were powerless to arrest a movement which was inspired by the spirit of the age.[2] There were now three parties in the field—the people, the heritors and the patron; and the second and third, both identified with Moderatism, were driven into alliance against the first. After 1735 presentations, backed as they had always been by a call from heritors, began to come into general

[1] "Great part of communicants are servants, and I think it ridiculous that they who are removing from one congregation to another, and not fixed to any congregation but for half a year at a time, should have a power of electing; for then in some places the servants who are more numerous than the heads of families might impose one who was disagreeable to them, and go all out of the parish at the next term."—Pamphlet of 1740, quoted by Dr. Sprott in his *Doctrine of Schism in the Church of Scotland.*

[2] "The whole commotion . . . arose from the spirit of the eighteenth century attempting to crush the worn-out spirit of the seventeenth, and the spirit of the seventeenth *lifting* up its head and leaving its sting before it died. It was the battle of progression and retrogression."—Cunningham's *Church History of Scotland*, ii. 446.

use; and the Government which succeeded that of Sir Robert Walpole is said to have dispensed the royal patronage from 1742 to 1746 in such a manner as to conciliate both heritors and people.

The disposition to submit to patronage was quickened by some experience of the hardships which might ensue from repugnance, or even from indifference, to the law. As early as 1735 the Presbytery of Cupar had discovered that they might indeed ordain a popular candidate in preference to a presentee, but that the patron in that case was legally entitled to retain the stipend. In 1751 a similar decision was given in a case which had arisen, four years earlier, at Culross; and a disputed settlement at Lanark in 1750 resulted in a decision of the House of Lords that even a presentation conferred no claim to stipend if another than the reputed patron should subsequently succeed in establishing his right.[1] The bearing of this controversy on their material comfort was, however, brought home to the clergy in a still more forcible manner, when the cordial recognition of their services during the late rebellion had encouraged them to apply to Parliament for an augmentation of stipends.

The wretched condition of the Scottish parochial clergy was one of the evils which had passed from the ancient into the modern Church;[2] and it was not till 1617, nearly sixty years after the triumph of the Reformation, that a provision long promised to the clergy was at last secured to them by the appointment of commissioners to assign to each minister a stipend from the tithes of his own parish, not less, if possible, than 500, and not more than 800 merks (about £28 and £45

[1] Morren's *Annals of the General Assembly.*

[2] Some information on this point will be found in *Politics and Religion in Scotland*, i. 213, 345.

sterling), or the equivalent of these sums in victual. By an Act of 1633, completing Charles I.'s memorable tithe settlement, the maximum thus prescribed was made the minimum; and the clergy, as the result of these two Acts, were raised from abject poverty to considerable independence and comfort. The arrangements made in 1617 were avowedly intended to be final; but it was a disputed point, which in most cases was decided against the clergy, whether the Act of 1633, though limited by no maximum, was of such a tenor that stipends allotted since that date could be subsequently increased. The question was not of much importance till the growing prosperity of the nation, more than a century later, had produced a great rise in prices; and the Lords of Session, who by the Treaty of 1707 were constituted a Court of Teinds, confined the clergy to a standard of subsistence much lower in reality than that which had been fixed in the reign of Charles I. by refusing to increase stipends, not below the minimum, which had been augmented since the Union.[1]

As the incomes of the clergy were thus determined by the least favourable interpretation of a statute which no longer fulfilled its purpose, it was natural that they should look for relief to an amendment of the law. In the Assembly of 1748 a motion to take steps in this direction was defeated only by the Moderator's casting vote. The next Assembly, when the proposal was renewed in the form of a recommendation from five synods and twenty-five presbyteries, appointed a committee to consider the advisability of applying to Parliament for an augmentation of stipends; and, this committee having reported in favour of such an application with a view to establishing a minimum of £1000 Scots or £83 6s. 8d.

[1] Connell's *Law of Tithes*, edition 1830, vol. i., *passim*.

sterling, the Assembly of 1750 agreed unanimously that the smallness of many of the stipends[1] should be represented to Parliament and such relief be craved as the legislature should think fit. A petition was then prepared which asked for no more than a better division of parishes and such reform of procedure as should enable ministers to recover more cheaply and expeditiously their legal dues, and the framers of which recommended that no alteration of the minimum should be proposed. The House, however, resolved to apply for "further relief"; and the Moderator declared in its name that the Commissioners to Parliament were at liberty to petition for an increase of marginal stipend.

Four members of the committee appointed in 1749 had dissented from its report, and it is remarkable that all four were ministers. The Popular party associated augmentation with patronage, believing that the one could not be obtained without a general submission to the other, and they had little sympathy with the desire to raise the social position of the clergy which prompted the advocates of both. One minister sought to prove that his poorer brethren ought to be "passing rich with forty pounds a year": another reminded them that no order was so much respected in the Catholic Church as that of the begging friars. When we consider the justice and modesty of the augmentation project and the fact that so many ministers opposed it, there is something

[1] The report showed that 147 ministers had no more than the legal minimum, £45, that 41 ministers had no more than £40, and 16 no more than £35, "the salary of the meanest Excise officer." All of these ministers might have applied for augmentation, and those of the second and third grades were entitled to it; but many of them had not the means to sue their heritors before the Court of Teinds, or, if they had the means, shrank from the social penalties which such a process too often entailed. On the whole subject, see Morren's *Annals*.

almost ludicrous in the alarm, if not consternation, with which it was received. Twenty elders protested against the refusal of the Assembly to commit itself against an alteration of the minimum, and the Commissioner applauded their discretion in his closing speech. Throughout the country meetings of the landed interest were held, which could hardly have been more indignant if every rural pastor in Scotland had claimed the revenue of a mitred prelate. As early as May, 1749, the gentlemen of Ayrshire had found themselves "obliged in justice to themselves and their posterity to testify and declare to the whole nation that they are of opinion that the clergy are already abundantly well provided"; and in the following year county after county added its quota to the chorus of wrath. Morayshire declared its "abhorrence of the scheme." Aberdeenshire denounced it as a violation of the Union, which, it seems, had declared the laws of private right to be "unalterable"; Kincardineshire found that the Scottish clergy were thrice as well off as the English, and thought that their endowments ought to be diminished rather than increased; Stirlingshire was "most sensibly affected" when it perceived that the humility and disinterestedness so long characteristic of the Church of Scotland were giving place to "the grasping at so much wealth"; Renfrewshire attributed the "decent and sober manners" of the ministers to their limited means, and condemned the attack on those tithes "which in the days of Popish ignorance and superstition, indeed, were looked upon as the property of the clergy," but which "since the happy era of the Reformation" had been acquired by laymen.[1]

[1] *A Collection of all the Papers published in relation to the scheme for augmenting the stipends of the Established clergy in Scotland*, 1751.

A committee of Midlothian heritors was instructed by all the other counties to act on their behalf, and the methods of this body were not remarkable either for moderation or for good faith. Writing to James Oswald, the Earl of Lauderdale said that "the landholders of Scotland" would not be content if the proposal was "slurred over or even rejected without a hearing." Its enormity must be exposed with sufficient thoroughness to put "a final stop to such applications, which can never be made without great confusions and heart-burnings in this country."[1] The Commissioners of the Church had not been long in London when they discovered that any mention of augmentation would merely prejudice their cause, and they therefore put forward only the articles relating to the payment and distribution of stipends which the Assembly had agreed to without a division, expecting to be supported in these by the Midlothian committee, since they had abandoned the idea of "further relief." Their petition, thus limited, was, however, opposed, chiefly on the extravagant plea that it was the outcome of an agitation for raising the minimum; and, both parties having been examined by a committee, the Commons on June 3, 1751, put an end to the whole business by postponing its consideration to an impossible date. On the previous day a paper had been circulated amongst the members, accusing the Scottish presbyteries of ignoring presentations, and submitting, since many of the ministers had obtained their stipends in violation of patronage, that, if any favour was shown to them, it should be accompanied by provisions for enforcing the statute of 1712.

It was now evident that a crisis was impending similar to that of 1732; for, as the men who had accepted

[1] *Memorials of James Oswald of Dunikier*, p. 169.

presentations began to predominate in the Assembly, the opposition to patronage steadily declined; and, whilst presbyteries within whose bounds the Secession was making progress showed a growing reluctance to countenance intrusion, the populace, knowing that a refuge was open to them in case of defeat, became more obstinate and headstrong in asserting their claims. Two contests of the usual kind, which occurred in succession at this period, brought the controversy to an issue.

In order to meet the delicate situation created by the death of an ultra-Evangelical minister, Lord Torphichen in 1747 had submitted a leet of five candidates to the parish of that name. One of these, a Mr. Watson, received a call from twenty-four heritors, and was therefore presented by the patron; but a majority of heritors, all but one of the four elders, and almost all the heads of families, persisted in demanding a Mr. Turnbull, whose name, despite their petition, had not been added to the leet. The Presbytery of Linlithgow referred the case to the Synod of Lothian and Tweeddale, whose decision in favour of Watson was confirmed by the Assembly of 1749; and in 1750 and again in 1751, on a reference from the Synod itself, in consequence of the Presbytery still delaying ordination, the same judgment was given. On this, the third and last occasion, the mutinous presbyters, after pleading in vain their reluctance to fan the flame of secession, were rebuked at the bar; and a committee was appointed, with or without their concurrence, to ordain the presentee.[1]

To censure a contumacious presbytery, and at the same time to provide substitutes for the fulfilment of a task which it was still enjoined to perform, was regarded

[1] Morren's *Annals*, i. 198-211; *Report of Select Committee on Patronage*, 1834, appendix, pp. 39-46.

by some of the younger clergy as a policy no more consistent than wise; and, though they mustered only eleven votes in support of their contention that ministers who refused to do their duty ought to be suspended, they gained so complete a victory in the second of the two cases that the relief now granted to tender consciences in the shape of a "riding committee" was never again to be allowed. The way in which this case rebounded from court to court and the contradictory results arrived at in the course of its litigation were certainly an argument for importing more of vigour, as well as of uniformity, into the discipline of the Church. A vacancy had occurred at Inverkeithing, and the Presbytery of Dunfermline had delayed induction in deference to the wishes of the people, who, if not very serious in prosecuting an irregular call to an English dissenting minister, were at all events determined not to accept the minister of Broughton, a Mr. Richardson, of irreproachable attainments and character, who, with the concurrence of several aristocratic heritors, had been presented by the patron. On a reference from the Synod of Fife, to which an appeal had been made, the call to Richardson was sustained by the Assembly Commission; but the Presbytery refused to give effect to this decision, even after it had been affirmed by the Synod; and the Commission in November, 1751, insisted on compliance, with an intimation that, if the presentee had not been admitted before their next meeting in March, they should then have recourse "to very high censure." At the March meeting, however, the Commission admitted the reasons alleged for continued disobedience, and resolved, not only to inflict no censure, but even to relieve the Presbytery by devolving its task on the Synod; and a final obstruction was introduced when the Synod, resenting this

gratuitous addition to its duties, declined to carry it out. The no-censure resolution was dissented from by seven ministers and eight elders, who published their reasons as a sort of manifesto in the *Scots Magazine*; and the Inverkeithing case was thus brought before the Assembly of 1752 on complaint of these members against the majority of the Commission, as well as on that of the patron and his friends against both the Presbytery and the Synod.[1]

The Assembly opened in a manner which boded no good to the popular cause. Professor Cuming, leader of the Moderates, and an instrument under the Duke of Argyll of Government influence, though he had been Moderator only three years before, was re-elected to the chair; the Commissioner, the Earl of Leven, in his opening speech, referred to the insubordination shown "in too many instances" by inferior courts—"The main intention of your meeting is frustrated if your judgments and decisions are not held to be final"; and it is even stated that the Lord Advocate threatened to "enlighten the consciences of some ministers through their stipends." On Monday, May 18, the Synod was absolved from blame by a resolution, agreed to without a vote, that the Commission in March had exceeded their powers; and on the same day a most drastic motion was carried ordering the entire Presbytery of Dunfermline to meet at Inverkeithing on Thursday for the purpose of admitting the presentee, raising the quorum of ministers from three, the number which it was known could now be obtained, to five, and requiring every clerical member to appear on Friday at the bar to answer for his conduct. From the examination conducted on

[1] Morren's *Annals*, i. 183, 222-230, 262; *Patronage Report*, appendix, pp. 61-72.

that day it appeared that, as only three ministers had attended at Inverkeithing on the 21st, they had been unable to act; and, when six of the mutineers gave in a paper in their defence, which they declined to modify or retract, it was resolved by a considerable majority (93 to 65) that one of them should be deposed. On the following day, Saturday, Gillespie, the minister of Carnock, read another "humble representation" in his own name; and it was probably this circumstance, added to the fact that he had received ordination from a sect of English Independents, which caused the vote of deposition to alight on him. On June 18 Richardson was at last admitted; but three ministers, who still refused to take part in his induction, continued for thirteen years under a sentence which suspended each of them from acting in any Church court but his own session.[1]

It is evident from these proceedings that the object of the dominant party was not to terminate the dispute at Inverkeithing, but to protract it, in order to strike a crushing blow at those who contested their view of the principle at stake; and they took a series of most arbitrary steps when they first prevented the compliance of the presbytery by raising the quorum; then voted that one, or rather any one, of six ministers should be deposed; and finally, without citation or trial, as if they had been a Tudor Parliament passing a bill of attainder, consigned Gillespie to this fate. Such harshness, if not such irregularity, might indeed have been looked for in those who dissented from the no-censure resolution. It was asserted by these men as a principle essential to

[1] Morren's *Annals*, i. 260-275; Struthers' *History of the Relief Church*, p. 82. The majority against Gillespie is said to have been composed mostly of laymen.—*An Inquiry into the Powers committed to the General Assemblies of this Church*, 1752, p. 31.

society, still more to ecclesiastical society, and most of all to society of that nature when organised on a Presbyterian model—for here the parity of ministers implied as its counterpart the subordination of courts—that the decisions of the legislative power ought to be actively obeyed in all matters of public order, except where such "gross iniquity" was prescribed as made it a preferable alternative that the society should be dissolved; and this contention they defended as agreeable to the practice of "what is justly called the pure and reforming age of our Church." In the *Answers to the Reasons of Dissent*, a caustic, vigorous and satirical paper, the Popular party repudiated the doctrine of their opponents as worthy of "priests beyond the sea," and as raising ecclesiastical rule to a pitch which had never been attained in civil affairs, where at the worst of times "this hard choice" had been allowed, "either actively to obey all commands of the sovereign or passively to submit to his will"; and they insisted that both conscience and private judgment must be stifled if a man was to yield unquestioning obedience up to the point at which he became willing to withdraw from the society or to concur in its dissolution. It was indeed a singular thing that the triumph of liberal opinions in the Scottish Church should have been driven home by those weapons of Puritan fanaticism which were also to be found in the armoury of the Pope;[1] and, when we find the Moderates referring with reprobation to the "liberty of conscience" dreaded by Covenanting Assemblies, and objecting that the license demanded in matters of discipline might also be claimed in matters of faith, it is easy to believe that Principal

[1] "I wish Mr. Gillespie joy," wrote Whitefield. "The Pope has turned Presbyterian."—Struthers, p. 98.

Wishart, who had always been foremost in the struggle for intellectual freedom, had now a motive more potent than his repugnance to patronage for retaining his place on the popular side.

"The fiery charioteers of this Church who have the whip in their hands" [1] were headed by two young clergymen of the most advanced type, Robertson and Home, who had entered the ministry as late as 1744 and 1747 as members of a presbytery—that of Haddington—in which patronage had never been opposed; and, if these men had been more careful not to violate the ecclesiastical constitution, it might have been difficult to rebut their contention that peace and order must be unattainable so long as conscientious scruples were admitted as an apology for resisting the civil law. It shows what a change had taken place in the attitude towards patronage that the appointment of a "riding committee," which presbyteries had once resented as an invasion of their rights, was now eagerly demanded as a means of relief; and this concession to a mutinous spirit was not likely to commend itself to "those modern fine ministers," as one of their own number ironically called them, whose influence had been so conspicuous in the Assembly of 1752 that the Moderator was constrained to justify it as that of "young men in defence of our old constitution."

A cause distinctly more novel than venerable was now, however, to obtain their support. In the second quarter of the eighteenth century, if not even earlier, Edinburgh could count on the theatre as something more than a precarious addition to the pleasures of its social life. In 1725 an actor named Aston made his appearance at the

[1] *Terms of Communion imposed on the Church of Scotland by a prevailing party in the General Assembly*, 1753, p. 125.

head of a company of comedians and continued for three years to divert the town, whilst waging a doubtful battle at law with the magistrates, who had withdrawn the patronage extended to him by their predecessors in office, perhaps because they anticipated the action of the local presbytery in issuing an admonition, which was read from every pulpit, against the stage. Aston and his associates had no sooner been driven off the field than the newspapers announced the arrival of "a new set of comedians," who even proposed to erect a playhouse. In 1733 either this set or another had established themselves with some prospect of permanence in Taylors' Hall, for they were known as "the Edinburgh Company"; and during this year they acted with such success, chiefly in the plays of Shakespeare, that a sermon was published on the use and abuse of diversions, with an appendix intended to expose the diversions of the stage as so contrary to the Gospel—which, unfortunately, had omitted to mention them—that they should not be used at all. The Taylors' Hall theatre, and another which had been fitted up only six months earlier by Allan Ramsay, the poet, were both closed in consequence of the Act of 1737, directed by Walpole against the political satire of the London stage, which provided that strolling players should be punished as rogues and vagabonds, and that any person who acted without license should forfeit £50. The latter penalty was exacted from some of Ramsay's company, who persisted in practising their art, and the municipal and University authorities succeeded in frustrating an attempt to repeal the clause which permitted no theatre to be licensed, except at Westminster and where the King was residing. As, however, the statute mentioned only acting for gain, a happy device was fallen upon towards

the end of 1741, when it became usual to defray the expense of dramatic performances, nominally given *gratis*, through the charge made for a preceding concert;[1] and from this period to the present day Edinburgh is said never to have been without its theatrical season. In 1747 the entertainments given at Taylors' Hall were practically superseded by the opening of a new concert-hall in the Canongate, which, five years later, entered on a still more prosperous career under the management of Lee, a former associate of Garrick. Lee's vanity and ill-temper are said to have been quite equal to his theatrical skill; and in 1756 the concert-hall was appropriated by his patrons, to whom he had assigned it, after paying nearly half of the purchase-money, in order to baffle his creditors; and his place was taken by a half-pay ensign of aristocratic lineage named West Digges.[2]

As expert a manager as Lee, and equally improvident in his private affairs, Digges, despite an indifferent voice, was much more successful on the stage; and his gifts were turned to good account in the production, for the first time and in most sensational circumstances, of a

[1] "Their pockets were fin'd in terms of the law,
Yet this they still never regarded a straw;
But others came in, chang'd the play to a ball,
Cry'd ho! come away to the new concert hall."
—Contemporary Ballad.

[2] Dibdin's *Annals of the Edinburgh Stage*, pp. 35-71; Arnot's *History of Edinburgh*, pp. 367-369; *Statutes at Large*, vi. 275. On one occasion during Lee's management the performance of *King Lear* was interrupted by a thunderstorm of unintentional severity. The requisite noise was being produced by the trundling of a barrowful of nine-pound shot across some ridges on a raised board behind the scenes, when the man in charge of the barrow fell, and he and his thunder-bolts rolled across the stage—the latter even into the orchestra, where one of them demolished the bass fiddle.—Dibdin, p. 72.

new play. John Home, minister of Athelstaneford, in East Lothian, had moved the vote of suspension in the Torphichen case, and had seconded Robertson in bringing the "Reasons of Dissent" before the Assembly of 1752; and the "fiery charioteer," who had ridden down the opponents of patronage, was now to vanish from the ecclesiastical arena in a shape so nearly diabolical in their eyes as that of a dramatic poet. As early as 1749 he had made a journey to London with a view to having *Agis*, his first effort in the drama, produced at Drury Lane. Garrick rejected the play, and proved equally uncompliant when the author, after five years' intermittent labour, presented him with the *Tragedy of Douglas*. Digges was easily induced to accept what Garrick had refused. On December 4, 1756, "a new tragedy called Douglas, written by an ingenious gentleman of this country," was announced as in rehearsal; its excellencies, vouched for and quoted at innumerable tea-parties, kept polite society in a fever of anticipation during the next ten days; and on the 14th and three succeeding evenings[1] the author's highest hopes were more than realised in the spectacle of a crowded house moved to tears by his pathos and acclaiming his genius in rapturous applause. That the drama did not commend itself to the Edinburgh public on merely national grounds is proved by its subsequent success in London; but the enthusiasm it excited was undoubtedly patriotic as well as æsthetic; and the town is said to have been in "an uproar of exultation" that a Scotsman had produced "a tragedy of the first rate," and that his master-

[1] Dibdin (p. 91) infers from the newspapers that the "run" of *Douglas* was only four consecutive nights and one more; but in the Preface to *The Philosopher's Opera* it is said to have been "acted here last winter thirteen times."

piece had been submitted in the first place to a Scottish audience.[1]

With the sounds of triumph were, however, soon mingled those of the "drum ecclesiastic" beating to arms; for the Church had some reason to fear a mutiny in its ranks when a clergyman had turned playwright and seven other clergymen had been present at the production of his play. The Presbytery of Edinburgh fulminated in the usual terms against "the illegal and dangerous entertainments of the stage"; and, having meanwhile suspended a minister for three weeks who "had gone to the playhouse only once and endeavoured to conceal himself in a corner," they exhorted the other presbyteries concerned to call to order their peccant divines. These courts confined themselves to an admonition; and the Presbytery of Dunse, in a spirited letter, expressed resentment of the public affront which had been put upon two of their pastors for participating in a diversion which was neither unscriptural nor contrary to any law of the Church, of which elders belonging to the metropolitan presbytery were the chief patrons in Edinburgh, and which ministers of that body were known to have frequented "on the other side of the Tweed." Carlyle of Inveresk, who had occupied a box, with a party of ladies, at the third rendering of the play, and who had made himself still more conspicuous by turning out of it two tipsy young men, was the only one of the accused brethren who ventured to defend the innocence, if not the propriety, of his conduct. Finding him impenitent, the Presbytery of Dalkeith took the extreme course of preparing an indictment or libel. He appealed, asserting that the offence which he was now ready to acknow-

[1] Carlyle's *Autobiography*, p. 312; "Life of Home," in Mackenzie's edition of his *Works*, i. 38.

ledge merited no more than a private admonition; and the Synod, whilst declaring its "high displeasure" with the appellant, affirmed the justice of his plea. This decision, so favourable to Carlyle that a fanatical opponent could say that he had been "dismissed with a playhouse clap,"[1] was endorsed by the Assembly, which, however, after rejecting a proposal to prohibit members of the Church from frequenting the theatre, imposed such a prohibition on ministers. The proceedings against Home, the author of all this commotion, had been delayed owing to his absence in London; and on June 7, 1757, he was permitted, without any mark of censure, to resign his charge.[2]

The interest taken by the public in this affair found expression in a plentiful crop of pamphlets and ballads. The Presbytery of Edinburgh had no sooner sounded the alarm than its preparations to demolish the stage were considerably disconcerted by an ironical "argument to prove that the Tragedy of Douglas ought to be burnt by the Hangman," which was easily traced to the manse of Inveresk. Most of the ballad-writers espoused the anti-clerical side, though some of them preferred to ridicule the country parson whose dramatic genius, as extolled by the less judicious of his friends, was superior to that of Shakespeare and Otway;[3] and the activity of "Satan's agents" in the Synod of Lothian and Tweeddale excited the wrath of one writer, apparently a Cameronian, in whose opinion actors were "the most

[1] *The Players' Scourge*, p. 7.

[2] Morren, ii. 112-130. It appears that "the more remote clergymen, when occasionally in town, had almost universally attended the playhouse," and that, despite the Act of Assembly, they soon resumed this practice.—Carlyle's *Autobiography*, p. 322.

[3] A strange conjunction, but characteristic of the period.

horrid and abandoned villains that ever the sun shone upon," who denounced the stage as "Satan's school, the seminary of the devil and a nursery for hell, which Beelzebub hath ever claimed as his own chief residence and rendezvous in the world," and who insisted that the Canongate theatre ought to be razed to the ground, and its very site "salted with brimstone in abhorrence of the abominations that have been committed there."[1]

Moderatism did not emerge from this controversy without a widening of the fissure which had become evident in its ranks. We have seen that the high-handed measures advocated in the Torphichen case and adopted in the case of Inverkeithing had originated with a group of young clergymen, for whose influence in the Assembly of 1752 Principal Cuming, the Moderate leader, thought it necessary to apologise. In the following year Cuming was left in a small minority when he opposed the appointment of a Mr. Edmonstone as agent for the Church; and, though Moderator for the third time during the *Douglas* agitation, his policy at that juncture gave great offence to those country ministers who had been accustomed, when in town, to attend the theatre. With several other Moderates—the Lord Advocate Dundas and Hyndman, the clerical pamphleteer who had defended the deposition of Gillespie—he joined Webster, the leader of the Popular party, in promoting the attack on Home and his friends; and, as Webster was notorious for his convivial habits and Cuming could be denounced as a renegade, the wits of the town amused themselves in satirising the alliance of the two potentates whom they nicknamed respectively, Dr. Bonum Magnum and Dr. Turnstile.[2]

[1] *The Players' Scourge*, pp. 1, 2.

[2] For instance: "On S——y next, being the 30th, will be acted in all the —— of this city a new farce called Old Mother P——y run mad or

The credit lost by Cuming was transferred to Robertson, who had contrived to obstruct the prosecution of Home in the Presbytery of Haddington and had ably defended Carlyle in the Lothian Synod; and in 1758 the growing influence of this minister, then in his thirty-eighth year, was strengthened by his removal from East Lothian to an Edinburgh charge.

The incident which had estranged Cuming from the junior members of his party was merely the latest step in the development of a policy which was far from being universally acceptable to the people at large. The Scottish corps of the Church Militant during the last few years had been pushing forward to the goal of intellectual enfranchisement by such forced marches and under such rigorous discipline that mutiny and desertion were constantly thinning its ranks, and the line of advance was as thickly strewn with discarded *impedimenta* as if it had been that of a disastrous retreat. Patronage was now the recognised instrument, however inappropriate, for propagating liberal ideas, and, wherever patronage was exercised in defiance of popular opinion, a new dissenting congregation was formed or an old one was increased. In 1747 the Secession, initiated fourteen years earlier by Ebenezer Erskine, had split into two antagonistic sections, known as Burghers and Anti-Burghers, according as their view of ecclesiastical corruption caused them to accept or to refuse the burgess oath binding its subscriber to uphold "the true religion presently professed within this realm"; and these bodies —the latter especially, as the more intolerant—provided a convenient asylum both for the mutinous spirits who

Much Ado about Nothing, Written by Dr. Alexander Bonum Magnum and Dr. Patrick Turnstile, who have lately entered into Copartnery for carrying on a Manufactory of small Wares."

protested against the Church's destination and for the weaker brethren whose courage failed them at every turning in the road. A new sect was, however, soon to be formed for the express purpose of affording such relief.

Gillespie was befriended by a powerful party in the Church, and his sentence was immediately followed by an agitation for its repeal—an agitation much keener than any that had arisen since the censure to be passed on Professor Simson had been referred to the judgment of presbyteries in 1728.[1] To procure a more favourable set of elders than those who had turned the scale in favour of deposition was the chief object of Gillespie's partisans, and to this end during the summer of 1752 and the ensuing winter they published pamphlets, held meetings, formed associations, and even referred to the matter in sermons and prayers. Moderatism stood aghast at the insult thus offered to the majesty of ecclesiastical decrees; and, when the Synod of Glasgow and Ayr, the most numerous in the Church, had passed an overture protesting against summary deposition, and craving that Gillespie and his suspended brethren "upon a proper application from themselves" should be restored, the Synod of Lothian and Tweeddale not only refused to concur, but denounced the overture as a reflection on the proceedings of the last Assembly and as presuming "to limit and prescribe to" the next. When the Assembly met on May 24, 1753, the Popular party were rewarded for their exertions by carrying the election of Webster as Moderator against so strong a candidate as Principal Leechman of Glasgow; but they met with a serious obstacle to their success in the influence of the Commissioner, who had opposed them

[1] See *Scotland and the Union*, p. 233.

so openly in the previous year, and in the fidelity of Gillespie to what he considered his "glorious cause." Lord Leven said in his opening speech that, however members might differ as to the expediency of the course which had been adopted "in a certain case," they ought all to concur in upholding the decision, "for whatever is fixed by a majority becomes the common concern of each member to support." He added that he should welcome "such acknowledgment and submission" as should enable the Church to extend pardon without prejudice to its honour; and we have seen that even the plea tendered by the western Synod was qualified by the same condition. No application of any kind had, however, been received from Gillespie, and none that was regarded as at all satisfactory from his friends; and, when the vote was taken, after a long debate, whether or not these ministers should be released from censure, the Popular party, who had counted with confidence on a majority of ten or twelve, found themselves in a minority of three.[1]

In these proceedings a new sub-division of Scottish Presbytery was to take its rise, different in character from either of the two which had already been formed. The Cameronians or Reformed Presbyterians had always denounced the Revolution Settlement both in Church and State: Erskine, politically loyal, had fallen foul of an Act of Assembly, and, when called to account for lifting up his testimony against a backsliding generation, had gone forth from the polluted temple, slamming the door, as it were, behind him in his noisy demonstrations of wrath. Gillespie, on the other hand, "a meek and humble sufferer for conscience' sake," could be taxed

[1] Struthers' *History of the Relief Church*, pp. 102-131; Morren, i. 277-278, ii. 1-8, 21-23.

with nothing but disobedience, and his attitude was entirely passive throughout. He preached at first in the open air, and, after a month or two, in a meeting-house which had been purchased for him in Dunfermline. For nine years, despite the refusal of his former brethren to assist him at communion services, he made no endeavour to found a sect; and he might have continued to revolve in obscure isolation through the ecclesiastical firmament, had not another erratic particle happened to cross his path.

The parish of Jedburgh having become vacant in 1755, the elders entered into a written obligation "to stand and fall together in the election or voice of a minister"; and on the same day a petition was largely signed in favour of Thomas Boston of Oxnam, son of the noted Evangelical divine. The Crown, however, backed by almost all the heritors and magistrates, presented a Mr. Bonar, grandson of the minister whose death had occasioned the disputed settlement at Torphichen; and the elders carried their complaint to the Assembly of 1756, protesting against lay patronage on the somewhat singular ground that "in the 2nd Psalm, long before this Church, the ends of the earth, Scotland and England, were gifted of the Father to his Son." As Bonar did not care to be intruded, and had, moreover, received a call to Perth, the Lord Advocate withdrew his name and issued a much more unpopular presentation in favour of a Mr. Douglas, minister of Kenmure. The Presbytery of Roxburgh refused to admit Douglas at the bidding of the Commission, and did not give way till the orders transmitted to them by the Assembly of 1757 had been re-affirmed by that of 1758. Their resolve no longer to obstruct the presentee may have been due to the fact that there was now almost nothing to admit him to, except the walls

and the stipend. As soon as the preceding Assembly had issued its decision, the town council, the session, and all the heads of families except five had combined to build a new place of worship for the man of their choice; and on December 7, 1757, having waited with exemplary discretion till the meeting-house was finished and his supporters had pledged themselves to pay him £120 a year for life, in place of the £90 he had enjoyed at Oxnam, Boston handed to the presbytery a resignation of his charge. He and Gillespie, though the one had quitted the Establishment and the other had been expelled, were now in the same position, and they could hardly have failed to unite. Gillespie was invited by Boston to assist him at the second communion which he celebrated after resigning his cure; and, three years later, they were enabled to form a presbytery by obtaining the additional minister essential to its clerical quorum. In 1760 Kilconquhar in Fife was the scene of a disputed settlement similar to that of Jedburgh, and terminating in the same way, except that the parishioners built a meeting-house without first selecting a pastor. By the advice of Gillespie they applied without success to a dissenting minister in the north of England, and then to another named Collier, who accepted their call; and on October 22, 1761, at the new church of Colingsburgh in the parish of Kilconquhar, Boston, Gillespie and Collier, with an elder from each of their congregations, "formed themselves into a presbytery for the relief of Christians oppressed in their Christian privileges."[1]

Meanwhile, in spite of protests and secessions, the Church was advancing towards a complete acceptance

[1] Struthers' *History of the Relief Church*, pp. 100, 101, 124, 137-160; Morren, vol. ii. *passim*.

of patronage without any slackening of its pace. It shows the distance which had been traversed in little more than twenty years that the original Popular party had wholly died out; that the men who had succeeded to its name and position, instead of contending for the divine right of popular election, which many had asserted who did not secede with Erskine, insisted merely on the necessity of a call from heritors and elders; that the older Moderates, whose principle this was, had been overborne by Cuming, who subordinated the call to the presentation, and that Cuming in turn had given place to Robertson, who treated the call as a mere form. Cuming survived till 1776; but his influence, already weakened through his opposition to the theatre, received a further blow in the death of his patron, the third Duke of Argyll, in 1761; and Robertson in the following year supplanted him as leader on obtaining a permanent seat in the Assembly as Principal of Edinburgh University.

From 1762 to his resignation of the leadership in 1780 Robertson maintained a personal ascendency such as had fallen to the lot of no ecclesiastical statesman since the death of Carstares, an ascendency so stable and undisputed that, unlike his predecessors, he acknowledged no patron, and every successive Government was constrained to employ, or rather to support, him on his own terms. Strict in his conduct, liberal in his ideas, excelling in tact and persuasive eloquence no less than in dialectical skill, he had qualities calculated to conciliate opponents as well as to win the admiration of his friends; and the clergy of both parties concurred in honouring the man whose historical works had won for him a reputation which added lustre to their own. His theory of Church order was one which had been hardening into practice ever since he himself as a country minister had

expounded it in the "Reasons of Dissent"; and he must, therefore, be held responsible not only for the measures initiated during his administration, but to a great extent for those which had been adopted during the previous ten years. His ideal being that of a Church loyal to the civil constitution and obedient to its own decrees, it might have been supposed that, in proportion as the authority of the General Assembly was exerted under his guidance, he would have been careful to see that the restrictions it imposed on the appointment of pastors were no more, if also no less, than those which had been prescribed by the State. Unfortunately, however, it was not law in the abstract, but the spirit embodied in one of its most unpopular enactments, that Robertson was determined to uphold. Cuming, in addressing his brethren as Moderator of Assembly in 1749, had referred to patronage as "a hard law" which might involve them in many difficulties and a regard to which might expose them to great reproach.[1] Robertson, on the other hand, though he continued the practice invariably maintained since 1736 of instructing the Commission to apply to Parliament, as occasion offered, for the redress of this "grievance," did not scruple to extol patronage as a system which had raised the clergy to a higher social and intellectual level; and the cumulative effect of his management was to add materially to its rigour.

It had long been usual to accept any expression of approval, however sparsely signed, as sufficient to support a presentation; but Robertson derided the fiction of popular choice if he did not actually substitute the word *concurrence* for the word *call;*[2] and he certainly

[1] Morren, i. 323.

[2] Sir Henry Moncreiff (*Life of John Erskine*, p. 463) says that he made this change; but in 1781, after Robertson had retired, the Popular party

abridged the discretionary power which both law and custom permitted to presbyteries in examining a presentee. It was maintained by the Popular party that the only clause in the Act of 1690 which had been repealed was that which transferred the right of presentation from patrons to heritors and elders, and that the Act, therefore, remained in force in so far as it empowered the members of a congregation, if they were dissatisfied with the person proposed as their pastor, to put their reasons before the presbytery, whose decision was to be final;[1] and, though this may have been too liberal an interpretation of the Act restoring patronage,[2] nobody asserted that presbyteries were under any obligation to admit a presentee unless they found him "qualified." Robertson and his friends, however, interpreted this safeguard in the narrowest sense, restricting it to intellectual attainments and to such points of character and doctrine as could be made the subject of a libel; and in one remarkable case they refused, even within these limits, to accept an unfavourable decision. In 1762 a probationer named Wells received a presentation to the living of Shotts, which was opposed "by all ranks and orders of men in the parish," one heritor excepted. Two years later, the Presbytery of Hamilton consented at the bidding of the Assembly to take him, as the phrase was, on trials, and they then rejected him on the ground that "his knowledge, particularly of divinity, is very low and mean." This sentence, however prejudiced, ought to have been conclusive; but a second examination

referred to the use of the word 'concurrence' in the Carsphairn case as "a language new and unprecedented."—*Scots Magazine*, xliii. 276.

[1] Morren, ii. 344; *A Candid Enquiry into the Constitution of the Church of Scotland in relation to the Settlement of Ministers*, 1770, p. 51.

[2] Dunlop's *Law of Patronage*, p. 100.

was ordered, which, though it terminated in the same way, was overruled by the result of a third, conducted by the Commission. An attempt to ordain Wells at Shotts was frustrated by the mob, and, as the presbytery declined to go thither again, even under an escort of infantry and dragoons, the ceremony, after six years' delay, was performed at Hamilton.[1] The men who restricted the testing of presentees to its legal minimum, and in this case had deprived a presbytery of even that, found no difficulty in acting on a decision of the civil courts that ministers were as much entitled as probationers to accept a presentation, though in the opinion of the Popular party, and of several leading Moderates, including Lord Kames and Principal Tullidelph, this was contrary to an Act passed—for a temporary purpose, it is true—in 1719.[2] The clergy were naturally disposed to favour a practice which secured to each of them the prospect of a better living; but the Church had an undoubted right to determine the distribution of pastors; and its leaders could not be congratulated on their discretion when they showed an equal disregard of popular feeling, whether they were availing themselves of the power to bring a learned divine into the ministry, which was the usual argument for patronage, or were merely transferring him from one parish to another.[3]

[1] *Patronage Report*, appendix, pp. 148-155. Wells, like Sam Weller, had been guilty of "one amiable indiscretion," but this was more than sixteen years ago, and he had been "regularly absolved" six years before he was licensed. In a case of intrusion at Eaglesham in 1765 the call to the presentee was signed by only one person, though the patron, the Earl of Eglinton, was proprietor of all but a fortieth part of the parish.—Morren, ii. 361.

[2] *A Candid Enquiry into . . . the Settlement of Ministers*, pp. 143-149.

[3] A pamphleteer of 1766 attributed the growth of schism to "some unpopular transportations," and suggested that the practice should be prohibited where it encountered opposition.—*A Short History of the late*

We have seen something of the political conditions which fostered, if they had not produced, this truly illiberal spirit; and Robertson's opponents did well to insist that his policy was not to be judged merely by its effect on the Church. Dr. Oswald of Methven, a Moderate of the old school, declared in 1767 that social welfare had long been imperilled by "an aristocratical power founded upon the irresistible influence of a few great families by means of the practice of splitting superiorities and of engrossing and entailing a prodigious share of the property of the nation," and that the influence of the gentry was still further diminished by "the arbitrary exercise of the right of presentation."[1] A more explicit warning was given by Andrew Crosbie in the pamphlet of 1769, which has been more than once cited. Referring to the restriction of the parliamentary franchise, which in burghs was engrossed by self-elective corporations and in counties had been reduced to an absurdity by the Act of 1681, he pointed out that the people owed whatever spirit of liberty, whatever consciousness of their political existence, they still retained to "the little stir" occasioned by the election of pastors; and he insisted that patronage tended to corrupt the

General Assembly, etc., p. 37. The Synod of Glasgow and Ayr had affirmed a sentence of the Presbytery of Irvine refusing to transport from Cumbray to Kilmarnock a Mr. Lindsay who had been presented to the latter parish by the Earl of Glencairn. The Assembly of 1763 reversed this decision, as, also, on a further reference from the Synod, did the Assembly of 1764, and the consequence was a serious riot, for which three persons were imprisoned and scourged. Several years later, despite the opposition of people, kirk-session, presbytery and synod, the Assembly persisted in sustaining the presentation of an aged and infirm country pastor to the parish of St. Ninians, one of the largest in Scotland. A Relief congregation was immediately formed, comprising the great bulk of the parishioners, and all but one of the 21 elders.

[1] *Letters concerning the Present State of the Church*, p. 29.

representative system as well as to aggravate its defects, since patrons had been known to use their power as a means, not only of influencing votes, but even of punishing obnoxious heritors.

The travesty of Moderatism, which was perverting the ecclesiastical constitution "from a truly Christian, British model into a despotic French mould,"[1] would have been more intelligible if its exponents had contented themselves with multiplying dissenters, and had done nothing which they could help doing to forfeit their goodwill. Unlike the Seceders, who had abjured the national Zion and shaken its very dust from their feet, Gillespie was most anxious to remain in communion with the Church, and had he and his friends been permitted to exchange pulpits with those whom they recognised as "worthy ministers," the Relief Presbytery, far from becoming an opponent, might have been retained as an ally.[2] Nothing, however, could have been further than such a concession from the designs of Robertson, who wished to isolate the Popular party, and to reduce the non-intrusion principle by blockade as well as by direct assault. In 1766 a Mr. Baine, one of the ministers of Paisley, resigned his charge in order to become pastor of the Relief congregation in Edinburgh, protesting, despite his abhorrence of the late "abuse of church power," that this step made no change "in his principles of Christian and ministerial communion—nay, none in his cordial regard to the constitution and interest of the Church of Scotland." The Assembly, in disposing of

[1] So Mr. Baine, mentioned below.

[2] "Her churches would have been little else than chapels of ease in connection with the Establishment—cities of refuge to which the people might flee when oppressed by patronage, and from which they might return to the bosom of their mother when the day of oppression was past."—Cunningham, ii. 534.

this case, very properly resolved without a vote that Mr. Baine was no longer a minister of the Church, and therefore incapable of receiving a presentation or call; but it also, by a two-thirds' majority, prohibited the clergy from co-operating with him in any ministerial function.[1] The Relief Presbytery, owing both its origin and its progress to ecclesiastical intolerance, was soon to develop and to propagate the opinion that such grievances were inseparable from the existence of a State Church; and for the rise of Voluntaryism, with its attendant bitterness, Principal Robertson must be held largely to blame.

It was claimed for patronage that it had raised the social and intellectual status of the clergy; but not a few of the Moderate party, who credited and valued this result, believed that it was being purchased at too exorbitant a price. This reaction, due primarily to the growth of dissent, must also be ascribed to the fact that more caution and much less harshness were shown in exercising the moral discipline of the Church than in enforcing its administrative decrees; and the effect produced by such causes became manifest when a motion was carried, "after a very spirited debate," in the committee of overtures, recommending the Assembly of 1765 to devise remedies for a schism which was both formidable and still increasing, especially in the larger towns, inasmuch as it was credibly affirmed that there were now "one hundred and twenty meeting-houses erected, to which more than a hundred thousand persons resort, who were formerly of our communion";[2] when the Assembly

[1] Morren, ii. 313-315.

[2] The number of meeting-houses may have been as much under-stated as, in the opinion of Gib, the Antiburgher minister at Edinburgh, the number of persons was exaggerated; for, according to Struthers, p. 224, there were 172 Burgher and Antiburgher congregations. Struthers,

appointed a committee to consider this overture; and when on the following day it released from censure the three ministers who had been suspended when Gillespie was deposed. At this stage the return to milder counsels received a further impetus from the accession to power of the Rockingham Ministry, which was to give proof of its popular sympathies by repealing the American Stamp Act; and even the Lothian Synod, whose Moderatism had hitherto been beyond reproach, took occasion, in presenting an address to the Crown, to express its gratitude for the evidence afforded in two recent instances of "his Majesty's mild and gentle exercise of the hard law of patronage." The schism committee recommended, as the result of their deliberations, that the alleged progress of secession should be investigated by presbyteries; and, finding that "the abuse of the right of patronage has been one chief occasion" of this progress, they made the further suggestion that a committee should be appointed to confer with presbyteries and influential persons with a view to remedying "so great an evil." The Assembly of 1766 agreed without a vote to drop as inquisitorial the proposed inquiry into the number of meeting-houses, and the report, in so far as it related to patronage, was rejected by the inconsiderable majority of 99 to 85.[1]

The question which had thus been decided was very fully discussed; and the superiority of Moderatism in the division could hardly have been anticipated from its contributions to the debate. Speakers on this side had

however, seems to have drawn his information from a list published eight years later, in 1773. Nineteen Relief congregations had then been formed, only about four of which existed in 1765.

[1] Morren, ii. 305-308, 311, 329. *A Short History of the late General Assembly of the Church of Scotland, shewing the rise and progress of the Schism Overture*, 1766.

little difficulty in showing that patronage had done good, but they betrayed their inability to prove, what was much more relevant to the discussion, that it had done little or no harm by resorting to misrepresentation and abuse. Robertson treated the motion as a personal affront. He professed to have learned from "out-of-doors conversation" that it had originated in jealousy of himself and of the great services he had rendered to the Church; and, alluding to the Moderates, such as Dr. Cuming, who had become dissatisfied with his leadership, he expressed his hearty contempt for the "dishonourable truckling" of men whom he saw "at one time promoting one set of measures and at another espousing the opposite, perhaps as one ministry or another prevails at Court."[1] There may have been more truth in the contention that the Popular party had themselves contributed to the schism by instilling into the people "that they had a divine right, purchased to them by the blood of Christ, to choose their own pastors"; but such teaching was obsolete, having been inculcated, it was said, by no minister then living; and the friends of patronage found a more congenial theme in parading their anxiety lest the proposed census of meeting-houses should lead to persecution, and in palliating, or even denying, the mischiefs which their policy had produced. Many of them contended that secession was not an evil but "a great beauty and advantage," and that a variety of sects was as much to be desired in the ecclesiastical world as the diversity of shape and colour "in a bed of flowers." It was singular that men whose admiration for religious

[1] This was not a very palpable hit, as the schism proposal was carried in the committee of overtures in May, 1765, whilst the Rockingham ministry did not assume office till the following July, and the Crown lawyers supported Robertson.

differences outside the Church found expression in this fragrant metaphor should have been so unwilling to tolerate them within; and they showed a more genuine liberalism and a deeper insight into the tendencies of dissent who, whilst professing the greatest regard for the Seceders, "could not help lamenting the separation which did in their case, as in others of the like kind, frequently introduce narrow and bigoted sentiments in religion, as well as fierce and uncharitable debates upon matters of little moment."[1]

The controversy excited by the schism overture was continued in the press, and the Popular party made a vigorous effort to retrieve their defeat. In the Assembly of 1768, favoured by the absence of Robertson, who was then in England, they succeeded in carrying a proposal, similar to that of 1766, for the appointment of a committee to correspond with presbyteries, with the landed interest, and with the royal burghs, in order to devise measures for mitigating the law of patronage, and even for procuring its repeal. This committee sent a circular letter to presbyteries recommending that ministers should call meetings of their heritors, and in burghs should consult the provost; and with each letter were sent six copies of a pamphlet[2] intended to prove that "settlements by absolute presentation" were neither expedient nor required by law, and advocating a scheme according to which the call to a pastor was to be subscribed by delegates representing the heritors, the kirk-session, the parishioners, and even the patron, if he had refrained from exercising his right. This appeal, how-

[1] There is an echo of Archbishop Leighton in these words.

[2] *Thoughts of a Layman concerning Patronage and Presentation*—a temperate, lucid, and most judicious treatise. The author was Andrew Crosbie, a leading Advocate, who is said to have been the prototype of Councillor Pleydell in *Guy Mannering*.

ever, elicited no replies, and the work of the committee came to an end when the Assembly of 1769 resolved by a majority not to renew its powers.[1]

A dozen years were to elapse before another effort was made to emancipate the Church. In 1778 some of the worst penalties affecting Roman Catholics in England were repealed, and an intimation that the measure was to be extended to Scotland provoked, as we have seen, so violent an outburst of popular feeling that the Government, at the instance of the Scottish Catholics themselves, decided not to introduce the Bill. The success of this agitation was followed by an attempt to get rid of the ecclesiastical system, which in the Second Book of Discipline was described as an abuse which "had flowed from the Pope and corruption of the canon law." In 1782, on the model of an organisation which had been instrumental in frustrating the proposed measure of Catholic relief, societies were formed at Glasgow, Falkirk and Edinburgh to correspond with the various parishes in order to engage them in an application to Parliament for the abolition of patronage.[2] Several of the Church courts were soon enlisted in the cause, for the Synod of Glasgow and Ayr had already taken advantage of the retirement of Robertson to petition the Assembly that the induction of a minister opposed by the majority of parishioners should be declared unlawful—an overture which was dismissed without a vote as incompetent and dangerous; cases of intrusion had recently occurred at Biggar, Fenwick[3] and

[1] *Scots Magazine*, xxx. 277; xxxi. 274.

[2] Struthers' *Relief Church*, pp. 327-328.

[3] The presentee in this case was found very highly qualified, but he read his sermon, and the parishioners objected that the injunction given by Christ was "to preach and not to read the Gospel."—*Patronage Report*, appendix, p. 90.

Carsphairn; and it was reported that some presbyteries were dispensing with even the formality of a call. Four successive Assemblies were thus called upon to deal with the familiar overtures, in which they were besought to use their best endeavours, in concurrence with the landed interest, that heritors and elders should be restored to the legal rights secured to them at the Revolution, or, if this could not be obtained, to give full scope to the non-intrusion principle, which was supposed to have been sanctioned even by the statute of 1712. In 1783 a coalition of Popular men and conciliatory Moderates succeeded in carrying a Declaratory Act "that the moderation of a call is agreeable to the immemorial and constitutional practice of the Church"; but in the following year, emboldened, perhaps, by two overtures of a different kind, in which the maintenance of patronage was expressly advocated, the Assembly at last vindicated its consistency by omitting the instructions to apply to Parliament for the removal of this "grievance," which had been given yearly to the Commission since 1736. The Church had thus withdrawn its protest; and, though the controversy was revived in the following year, the Popular party made no further attempt to procure an alteration of the law, and soon abandoned their hostility, if not even their repugnance, to a system, which they had so long and so persistently opposed.[1]

The Church may have derived much peace of mind from its reconciliation with the civil power, but, contrary to the expectation of its leaders, it obtained no other reward. The question of a better provision for the clergy was again to be brought before Parliament, and it could no longer be objected that many of them had been admitted to their livings in violation of patronage,

[1] *Scots Magazine*, vols. xliii.-xlvi.; Cook's *Life of Hill*, p. 143-161.

or that Evangelical ministers preferred poverty to comfort. Incomes fixed at low-water mark before the tide had turned in favour of national prosperity had been alleged as a grievance in 1750; but, though prices were now at a much higher level, the Court of Teinds still adhered to their rule not to enlarge stipends, legally valid in amount, which had been augmented since the Union. The establishment of a Widows' Fund in 1744 had proved burdensome as well as advantageous; for the average annual subscription of five guineas was more than a tenth of many rural stipends, and impecunious pastors, however honest, had to be dunned for arrears. A well-known Evangelical clergyman, Sir Henry Moncreiff, was in 1788 Collector of the Fund. He had seen with concern how severely it pressed on small incomes; and, having no faith in the generosity of landowners, he proposed to tax them for augmentation only in so far as they were interested in the disposal of vacant stipends. These were, indeed, appropriated to pious uses within the parish; but local proprietors were sufficiently ingenious, if not sufficiently pious, to bring themselves within the scope of this term. Sir Henry estimated the annual value of vacant stipends, after deduction of payments due to the Widows' Fund, as £2865; and this sum was to be placed by Act of Parliament in the hands of trustees, who were to apply it, after it had accumulated for ten years, to stipends under £50, and at subsequent periods to stipends less deficient.[1]

Projects of augmentation were discussed by three successive Assemblies; and the scheme, as finally and unanimously adopted in 1792, was much the same in principle as that which Sir Henry had proposed. Vacant stipends were not, indeed, to be formed into a general

[1] *Scots Magazine* for 1788, p. 495.

trust, but a collector appointed by each synod was to invest them for the benefit of ministers till they could be employed in purchasing extensions of glebes. The Commissioners of Teinds were to have the liberty—which they had denied to themselves—of renewing augmentations within a certain term of years, and of making rules "for expediting business," and the minister's stipend, if not paid as soon as it became due, was to bear interest from that date. If Scotland had been ruled by a statesman to whom justice was more imperative than the security of his own position, this scheme, prepared by a committee of which the Solicitor-General was convener, would at once have become law; but the ruler of Scotland was Henry Dundas; and ministers must, therefore, be content to cultivate the graces of humility, whilst maintaining their wives and providing for their widows on £45 a year. An Augmentation Bill was brought into Parliament, but "at the desire of a great body of landholders" it was promptly withdrawn. This or a similar proposal had been before the public for five years, but the landlords had not yet been able to consider it "with sufficient attention and desired delay." Lord Advocate Dundas, nephew of the statesman, assured the Assembly of 1793 that the Bill was "not to be considered as lost," and the Moderator, with touching simplicity, tendered to him the thanks of the House for "his zealous exertions on this occasion." What the clergy had failed to gain by a legislative enactment was, however, in some measure secured to them by a judicial decision. The Commissioners of Teinds continued to act on their rule not to increase augmentations granted since the Union till, in 1784, the plea of a minister, who contested this maxim, was upheld by the House of Lords; but it was not till another appeal had been decided against them

in 1789 that the Scottish judges gave full effect to this decision.[1]

If Dundas was not likely to befriend insignificant ministers at the expense of men who had votes, the Church had another grievance with which so good a Scotsman might have been expected to sympathise. When the Treaty of Union was passing through Parliament in 1706, the Assembly Commission had urged that members of the Kirk, on accepting office not confined to their own country, should be exempted from the obligation to communicate with the Church of England; but the demand was rejected; and Scottish Churchmen, after the Union, had either to conform to the Test Act or to look for protection to the annual Indemnity Bill. In March, 1790, when the French Revolution was beginning to excite alarm, a motion to abolish the test was thrown out by a majority of nearly two-thirds; but certain words were used in the debate which led Dr. Somerville to believe that a claim to exemption on the part of Presbyterians who were not dissenters might be more favourably received. Not a few of his fellow-Moderates, including all the principal laymen connected with Government, disapproved of this claim. In denouncing it as intolerant, they forgot that the readiness of Scotsmen to take the sacrament of a Church which disdained to take theirs must be a very equivocal proof of liberality so long as it continued to be a qualification for office; but they had good grounds for praising the Test Act as "the key that opens all the treasures of the south to every honest

[1] *Scots Magazine* for 1788, 1790-1793; Connell's *Law of Tithes*, ii. 403-411. Carlyle (Autobiography, pp. 502, 527) attributes the more generous disposition of the Teinds Court to the initiative of Sir Ilay Campbell, who was appointed Lord President in 1790; but Sir Ilay can have had little choice in the matter.

Scotchman." The General Assembly decided in favour of an application to Parliament, and in May 1791 its case was submitted to the House of Commons. Sir Gilbert Elliot, who presented the petition, argued that, if tests were retained, there ought to be one for the Scottish as well as for the English Church; and, commenting on the hardship imposed on Scottish military officers, he mentioned the remarkable fact that Scotsmen who commanded troops for George II. in 1745 had been included in the pardon to the rebels. It was no doubt impossible for Dundas to support a petition which Pitt's Cabinet had no intention of granting; but his "decided negative" was based on somewhat singular grounds. In private he admitted the justice of the petition, and "wished it to be withdrawn at this time" only because the Archbishop of Canterbury was opposed to it. In the House of Commons he stigmatised it as "an attempt to get the better of" the Treaty of Union—a treaty which made no mention of the Test Act, and to whose spirit of reciprocity that enactment was directly opposed.[1]

[1] Somerville's *Life and Times*, p. 225; *Parl. Hist.*, xxix. 488.

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CHAPTER V

THE NOONTIDE OF MODERATISM

In the preceding chapter we have been occupied with the character of Moderatism as displayed in its administration of the Church; but the party which followed the lead of Robertson was an intellectual as well as an ecclesiastical force; and it will be well in the first place to review the progress in this direction which had previously been made.

A movement towards liberalism in religion had been arrested when the Covenant was signed in 1638,[1] and it revived soon after the Covenanted theocracy had been overthrown by Cromwell in 1650 at Dunbar. The spirit which then asserted itself, which was recognised to some extent in the Revolution Settlement, and advanced to ascendency during the next sixty years, betokened a change of temper, not of bias. In other words, spirituality was developing at the expense of dogmatism, and, despite the growth of material interests, the more enlightened minds were still sufficiently interested in religion to be anxious to simplify and soften their creed. When Sir George Mackenzie penned the fine aphorism, "In religion as in heraldry, the simpler the bearing be,

[1] See *Politics and Religion in Scotland*, chap. x.

it is so much the purer and the ancienter"; when Leighton was described as "almost indifferent among all the professions that are called by the name of Christ"; when it could be said of Henry Scougal that he "loved goodness wherever he found it, and entertained no harsh thoughts of men merely upon their differing from him in this or that opinion"; of Nairn that he "studied to raise all that conversed with him to great notions of God and to an universal charity"; and of Charteris that he was "a great enemy to large confessions of faith, especially when imposed in the lump as tests"; we can trace in such pre-Revolution utterances the rise of that older Moderatism, no less devout than liberal, which did not pass finally into a new phase till Robertson and his friends published their "Reasons of Dissent" in 1752.

It is not with mere breadth of theology that we are here concerned; for the latitudinarianism of Leighton and Scougal, of Nairn and Charteris, was a passion rather than an opinion; and the flame they had kindled from the ashes of an almost extinct fanaticism was kept alive only by their more immediate successors. In the clergy who incurred censure as Bourignonists religious emotion was indeed carried to excess; but the sentiment was happily inspired which caused them to deny "the permission of sin and the infliction of damnation and vengeance," and to concur with Baxter in denouncing as the Devil's agents those "who pretend to be certain that all the world are damned who are not Christians." Very similar, though more coldly enunciated, were the tenets for which Professor Simson of Glasgow was rebuked in 1717, such as that man is not naturally insusceptible to grace, that infants and virtuous pagans will probably be saved, and that the redeemed may be

expected to outnumber the lost;[1] and the school we are considering may be said to have culminated in four divines—the last of this, the first of another, type: Leechman, Wallace, and the brothers William and George Wishart. These men were the instruments of a "memorable revolution,"[2] which perhaps they did not wholly approve; for a new era was opening, and the enthusiasm of their temper was less contagious than the liberality of their ideas. Leechman, the youngest of the three, was no more dogmatic and little less devout than Leighton, and his appearance is said to have been that of "an ascetic monk reduced by fasting and prayer nearly to the figure of a skeleton."[3] As a teacher of theology, he sought to educate, not to convince, delivering "no dictatorial opinion, no infallible or decisive judgment." Of Robert Wallace, known as "the philosopher,"[4] we are told that "his prayers breathed a seraphic spirit," and that his sermons were remarkable not only for originality and vigour, but for "a glow of sentiment." The outspoken liberality of William Wishart made him a greater offence than any of his friends to those whom he termed "illiterate pious Christians"; but his critical temper kindled into impassioned earnestness when he exhorted his hearers not "to over-value things of lesser importance in religion in comparison with greater," and to cultivate charity as "the true way to peace in the Christian Church." George Wishart, who survived till 1785, was the only member of the group whose orthodoxy was never questioned; and the ethical discourses of this "the Addison of Scottish preachers" were characterised by such Evan-

[1] *Scotland and the Union*, pp. 223-226.

[2] Ramsay's *Scotland and Scotsmen*, i. 279.

[3] Morren, ii. 394. [4] Somerville, p. 59.

gelical qualities as "unction" and "the warmest devotional feeling."[1]

It was not reserved for a later time to discover the continuity of this tradition; for Dr. John Erskine, in his funeral sermon on Robertson, observed that those who ascribed to George Wishart the introduction of "a rational, accurate and useful strain of preaching" had forgotten what they owed to Leighton and Scougal;[2] and the best known sermon of the latter was republished, with a warm commendation from William Wishart, in 1739. Nevertheless, though the Moderatism which had arisen before the Revolution, preserved much of its distinctive character to the middle of the eighteenth century, it had assimilated new elements, and was soon to alter both its bias and its tone. The rise of a liberal theology amongst the English and Irish Presbyterians was no doubt responsible in some measure for this change. It had been said of Scougal, and might with equal truth have been said of Leighton, that "there were no debates he was more cautious to meddle with than those about the decrees of God, being sensible how much Christianity had suffered by men's diving into things beyond their reach"; but the Moderates of a later day were not so diffident of their powers; and Simson, the Arminian professor of 1717, was silenced as an Arian in 1729. Charges of heresy, relating rather to reticence than to error of doctrine, were brought against Leechman, Wallace and William Wishart; orthodoxy lost much of its attraction for the young; and an Edinburgh Professor of Divinity was wont to counsel his students "to maintain a tender and charitable respect towards their

[1] Morren, i. 318; ii. 394; Ramsay, i. 240, 249; *Scotland and the Union*, p. 260.

[2] Erskine's *Sermons*, p. 268.

fathers in the Church, whose means of education had been less ample than their own."[1] Important, however, as this movement was, it traversed a well-worn road; and more significant for our purpose was another influence, also emanating from England, which altered—at least for a time—the whole complexion of religion by causing it to be regarded from a novel, if not from an alien, standpoint.

The third Earl of Shaftesbury, grandson of Dryden's Achitophel, was the founder of a school of ethics which looked to sentiment rather than to reason as the basis of conduct. He was an unqualified optimist, holding not only that there can be no conflict between individual and social welfare, since a certain harmony between the self-regarding and the disinterested affections is essential to both, but that man is endowed with a moral sense, instinctive, but capable of cultivation, which prompts him, just as a musician cannot but shrink from discord, to maintain this balance. Virtue is thus identified with beauty, morality with æsthetics; and from the consciousness of inward harmony, confirmed by our limited knowledge of external nature, we ascend to the conception of a "bigger world," no less exquisitely attuned, whose rhythmic cadence must, however, be but faintly audible, "whilst this muddy vesture of decay doth grossly close it in."[2] Such doctrine, the outcome of a noble spirit and a finely cultured mind, would probably be more welcome than credible to the religious temper of our own time; but in those days theology had not capitulated to humanism; and Pope is said to have

[1] Somerville, p. 64.

[1] *Merchant of Venice*, Act v. Scene i. The whole passage from "Let the sounds of harmony creep in our ears" is in unison with Shaftesbury's idea.

declared from personal knowledge that the writings of Shaftesbury—which furnished him with the argument of his *Essay on Man*—"had done more harm to Revealed Religion than all the works of infidelity put together."[1] Infidels might be less courteous to revelation, but could hardly have appropriated more of its domain, and they were not so likely to obtain a hearing from those whom they sought to convince; for Shaftesbury both assented and conformed to the national religion, whilst leaving its mysteries "to be determined by the initiated or ordained," whom he assured "in his ironical way of his steady orthodoxy and entire submission to the truly Christian and Catholic doctrines of our holy Church as by law established."[2] The tone of placid acquiescence is not, however, always maintained. Thus he tells us that "we must not only be in ordinary good humour, but in the best of humours, and in the sweetest, kindest disposition of our lives to understand well what true goodness is," and that we shall then be able to judge whether we are justified in regarding as divine attributes "those forms of justice, those degrees of punishment, that temper of resentment, and those measures of offence and indignation which we vulgarly suppose in God."[3] In one essay he remarks that the morality of "the sacred volumes," like their astronomy, conforms to "the then current system." In another he points out that friendship and patriotism must be "purely voluntary in a Christian"; and the fact is thus explained: "I could almost be tempted to think that the true reason why some of the most heroic virtues have so little notice taken of them in our holy religion is because there would have

[1] Fowler's *Shaftesbury and Hutcheson*, p. 154.

[2] Leland's *View of the Deistical Writers*, 5th edition, i. 62.

[3] Fowler, p. 118.

been no room left for disinterestedness had they been entitled to a share of that infinite reward which providence has by revelation assigned to other virtues."[1]

These writings were soon being read and enjoyed in many a Scottish manse. Wallace, "one of the first of our philosophical clergy,"[2] was a great admirer of Shaftesbury's philanthropic views, and—with perhaps even more reason—of his style; and in early life he did not always confine himself in the pulpit to "Gospel topics." In 1724, a year after his ordination, he scandalised Wodrow by "a fling at Confessions as 'imposed forms of orthodoxy,' or words to that effect"; and his discourse to the General Assembly of 1730 was complained of by one of the lay members, who moved that "notice should be taken of sermons upon morality where there was nothing of Christ and the Gospel." Another of Shaftesbury's reputed disciples was Telfer, who died before his prime in 1731. Preaching to the Assembly, he congratulated his hearers on having escaped from the rigour of those former times, when "religion was so far driven, especially in ministers, that it was a principle they should not be conversible and should only be taken up upon serious things in common conversation." When licensed by the Presbytery of Edinburgh in 1719, he had expressed great reluctance to sign the Confession, and he was one of a club of young ministers who were unfavourable to compulsory subscription.[3] It was not, however, till Shaftesbury's views had been expounded and systematised by Hutcheson that their influence could be widely felt. The Glasgow Pro-

[1] *Characteristics of Men, Manners, Opinions and Times*, edited by Hatch, i. 118, 294.

[2] Ramsay, i. 246.

[3] Wodrow's *Analecta*, iii. 168; iv. 125, 132; Scot's *Fasti*, ii. 498.

fessor did not imitate the ironical orthodoxy of his master, whom, indeed, he sought to represent as the enemy, not of religion, but of fanaticism; but his conception of human nature was, if possible, even further removed from the theological standpoint; for, whilst he maintained that God had implanted "in mankind a relish for a beauty in character, in manners," he insisted more strongly than Shaftesbury that the pleasure to be derived from virtuous emotion does not detract from its disinterestedness.[1] The law of benevolence was in his opinion as universal as that of gravitation; and of each of these tendencies it could be affirmed that it "increases as the distance is diminished, and is strongest where bodies came to touch each other."[2] One can hardly imagine anything more opposed to the ideas of the pulpit than such language as this: "I doubt we have made philosophy as well as religion by our foolish management of it so austere and ungainly a form that a gentleman cannot easily bring himself to like it, and those who are strangers to it can scarcely bear to hear our description of it."[3] Gentlemen—even philosophical gentlemen—being but refined products of nature, it had hitherto been supposed that they could not comprehend spiritual things.

Hutcheson was appointed to the Glasgow Chair of Moral Philosophy in 1729. This was the year in which Simson was suspended; and, as he had continued to inculcate the opinions too favourable to nature and reason for which he had been censured in 1717, we may assume that the local theology had anticipated, to some extent,

[1] Sidgwick's *History of Ethics*, p. 199.

[2] Hutcheson's *Inquiry into the Original of our Ideas of Beauty and Virtue*, p. 198.

[3] *Ibid.*, Preface.

the new system of ethics.' The ardour and eloquence of Hutcheson made an extraordinary impression on his pupils, and his influence was soon apparent in the Church. Students of divinity who attended his lectures —and there were students who attended them for as many as six years—were indeed advised to cultivate a plain and practical style of preaching and to avoid both rhetoric and "high speculations";[1] but the spirit he had aroused could not always be thus controlled; and not a few pulpits were captured by men who talked of virtue, liberality and benevolence, where their predecessors had talked of grace, charity and holiness, who extolled the righteousness—under another name—which was officially assumed to be "as filthy rags," and some of whom, preferring the master to his disciple, avowed their admiration for Lord Shaftesbury, and mystified their country flocks by discoursing on his "harmony of the passions."[2] Preachers of this type referred more frequently to Socrates and Plato than to St. Paul; but one of them, by way of commending the Apostle of the Gentiles, is said to have remarked that he "had an university education, and was instructed in logic by professor Gamaliel"; and another pointed out that though Paul caused Felix to tremble, this effect was produced, not by an appeal to passion, but "as he *reasoned* of righteousness."[3] These were the "paganised Christian divines," of whom Dr. Erskine in 1743 complained to Warburton; and as early as 1734 we find the General Assembly, then alarmed by the Secession, calling upon ministers to insist on Gospel themes, and

[1] Leechman's *Life of Hutcheson*, prefixed to his *System of Moral Philosophy*, pp. xxxiii., xxxviii.

[2] Moncreiff's *Life of Dr. John Erskine*, p. 492.

[3] Witherspoon's *Works*, vi. 169, 171.

"to let their hearers know that they must first be grafted into Christ as their root before their fruit can be savoury unto God."

On the death of Simson, eleven years after his suspension, Hutcheson sought to procure the Glasgow Chair of Divinity for his pupil Leechman; and he succeeded when another vacancy occurred in 1743. A recent writer has left us a brilliant picture[1] of the theology from which Scotland at this period was but beginning to emerge—a theology so uncritical that it could extract Calvinism out of Canticles or Amos, and could find material for a whole course of sermons in a single verse, so literal and so crude that it recorded the deliberations of the Trinity in the language of a Presbytery clerk, and associated the Atonement "with the proceedings of a sheriff's court." Thomas Boston, the minister of Ettrick, had died so recently as 1732; and this "most affectionate parent but most remorseless divine" was wont to justify the damnation of infants on such grounds as these: "Just as men do with toads and serpents, which they kill at first sight, before they have done any hurt, because of their venomous nature, so it is in this case." The reticence and elevation of Leechman were better fitted than the laboured apologetics of Simson to restore the reputation of studies which had been so strangely abused; but no one who is acquainted with Leechman's life and character can doubt that he belonged essentially to the older school, which sought to spiritualise, not to humanise, which realised the emptiness rather than the fulness of life—the saintly, not the gentlemanly, school.

Thus perhaps may we distinguish between the Moderatism which had originated in the seventeenth century and that which was a product of the eighteenth.

[1] Graham's *Social Life of Scotland*, chap. x.

In course of time the two currents mingled, and a temper was formed which in many cases represented the best elements of both; but as late as 1767 they were still so distinct that the influence of Principal Hamilton, who had succeeded Carstares as leader of the Church, was thus recalled—apparently in contrast with that of Hutcheson—by one of his pupils. "He taught us moderation and a liberal manner of thinking upon all subjects. His friends and favourites were—not the smarts and clever fellows—not the flimsy superficial gentlemen, who, having picked up somewhat of the English language, can read another's sermon with a becoming grace—but such as had drawn their knowledge from the sources of ancient learning and the Scriptures in the original languages, and who by a gravity and decorum of behaviour did recommend the religion they taught." And in another passage the writer's standpoint is no less clearly disclosed: "I was truly ashamed to hear speakers in our General Assembly, from whom better things might be expected, confine the regard which lay-gentlemen may be supposed to have for their ministers to their being men of conversation, and possessed of the other superficial accomplishments which fit them for what is called good company."[1]

The question which had provoked this protest of the old Moderatism against the new was that of patronage. We have seen that the two schools were by no means at one on this subject, and that Robertson and his friends won their way to ascendency as vigorous upholders of the law. The old Moderates looked with repugnance on patronage as an intrusion of secular, if not of political, influence into the spiritual domain, and they shrank from the harshness and oppression which its exercise involved.

[1] Oswald's *Letters concerning the Present State of the Church*, pp. 23, 27.

The new Moderates, themselves a product of this system, were humanists rather than divines, citizens rather than Churchmen; and, anxious as they were to eliminate the theocratic element, they had no scruple in enforcing a statute which at the worst could but swell the ranks of tolerated dissent. This, however, was a question rather of method than of principle; and it was not till Home's *Douglas* was staged at Edinburgh in 1756 that a clear and deliberate issue was raised between the old and the new ideas. It is possible that the "modern fine ministers" may unconsciously have been more zealous for the intellectual than for the religious interests of Scotland; but, though deserted by the Moderate leader, Cuming, they had the private support of Wallace, and the religion supposed to have been imperilled cannot have been very robust. If Home's tragedy could be characterised as an "abomination,"[1] it was certainly one of a very solemn and serious kind; and nothing better illustrates the illiberality of sentiment which the vanguard of Moderatism had ventured to assail than the attempt made to show that the stage was so contrary in itself to Christian principles that no advance in propriety could redeem it from reproach—much less such an advance as was supposed to have been attained in this play.

The true Christian, it was argued, acknowledged a perpetual obligation to cultivate that practical and contemplative piety by which alone he could glorify God. Amusement was a confession of weakness, and lawful only in so far as it tended to refresh the mind, its use being precisely the same as that of sleep. To frequent the theatre must, therefore, be a sin, because dramatic representation savoured of "pomp and gaiety," con-

[1] See p. 164.

sumed more time than was necessary for mere recreation, and had, moreover, a contrary effect, since it was calculated to excite the emotions. Such mental stimulus had, indeed, been defended as a means of moral education; but the Bible, expounded by faithful pastors, was sufficient for this purpose, and none but scoffers could "pretend to open up a new commission for the players to assist."[1] *Douglas* was asserted by its admirers to be a most edifying drama, but it contained "more than enough to disgust every Christian mind." It was intolerable that imaginary characters should quote Scripture, though in the most reverent spirit, and still more intolerable that they should profane a "piece of divine worship" by pretending to pray. Lord Randolph is represented "as belching out an oath in these words, By heaven," and blasphemes "the operations of the Lord's hand" in his reference to a destiny "which oft decrees an undeservéd doom." Lady Randolph is a dissembler and ultimately commits suicide, and her career is quite in keeping with its shameful close. She ignores the penalty of original sin in exclaiming, "What had I done to merit such affliction?"—implies her disbelief in "winding-sheets of wrath," when she welcomes the grave as the only remedy for human ills, and fills up the measure of her iniquity in these impious lines:

> "Nor has despiteful fate permitted me
> The comfort of a solitary sorrow."

There was something so wicked, so peculiar, and so novel in this reflection against Jehovah that "I question," wrote a pamphleteer, "if anything can bear a nearer resemblance to the blasphemy of devils and damned spirits in the pit of wrath. Nor can I doubt of the

[1] Witherspoon's *Serious Enquiry into the Nature and Effects of the Stage*, pp. 14, 15, 17-19, 24, 26-30.

dramatist having in this, as in different other particulars through the play, been inspired by temptation from below."[1]

Such was the protest of those—not the wisest of their school—who proposed to detain under an incubus of theological nightmare the awakening energies of literature and art. Home and his friends by extorting such an avowal from the more intemperate of their opponents had raised a far larger question than one of clerical decorum; and the Church, which had dallied with humanism whilst professing to maintain its Puritan tradition, had come at last to the parting of the ways. Perhaps the writer did not greatly overrate the significance of the crisis who could not "help numbering the tragedy of *Douglas* and the circumstances attending it amongst the most remarkable occurrences that have ever happened in this country." At all events, Carlyle had good reason to congratulate himself on the measures he had taken to protect "the rising liberality of the young scholars": "Of the many exertions I and my friends have made for the credit and interest of the clergy of the Church of Scotland, there was none more meritorious or of better effects than this."

It does not fall within the compass of this work to review the literary movement which reflected such lustre on the emancipated Church;[2] but the ecclesiastical demerits of Moderatism have been so much insisted on

[1] *Douglas, a Tragedy, Weighed in the Balances, and Found Wanting*, pp. 20-33. Literature in "the balances of the sanctuary" seldom fails to kick the beam. The author admits that, were he writing "as a critic of plays," his judgment might be entirely favourable.

[2] In the preface to *Scotland and the Union* I proposed in a subsequent volume to deal with "the rise of literature and philosophy"; but further consideration has convinced me that such a theme cannot be adequately treated within the limits of a general history.

in these pages that it would be unfair not to allude, however briefly, to its intellectual triumphs. We shall find that Scotland at this period had thrown off the sleep of ages and was devoting herself with extraordinary vigour to the development of her trade, manufactures, and agriculture; and the revival of letters which synchronised, and for a time kept pace, with the march of industry, must be regarded as a manifestation of the same national spirit. Before 1750 such signs of material prosperity as had yet appeared were confined mainly to the valley of the Clyde. Elsewhere the efforts made to stimulate enterprise were more conspicuous than their success; and, despite the growth of one important manufacture, pamphleteers as late as 1745 were suggesting means "to prevent our utter ruin" or to retrieve our "declining and sinking condition." In the world of thought brighter prospects prevailed; but here too the characteristic of the period was preparation, not achievement; and it was not till after 1750 that the literary reputation of Scotland was established by a group of writers, the foremost of whom, with the exception of Hume, were born about 1720.[1]

English in Scotland was a written, not a spoken, language; and before the Union, when political and ecclesiastical pamphlets were the chief products of the press, the art of composition was little studied. It was the essays of Steele and Addison—which "had a prodigious run all over the three kingdoms"[2]—that first gave rise to the cultivation of style. Various papers of a similar kind were started in succession at Edinburgh; and the *Tatler*, the first of these, was the work of a

[1] Blair, born 1718; Robertson and Smollett, 1721; John Home, 1722; Adam Smith, 1723. David Hume was seven years older than Blair.

[2] Ramsay, i. 6.

precocious youth who kept it alive for some six months in 1711, when Steele's paper of the same name had ceased, and the *Spectator* had not yet appeared.[1] The young men, chiefly lawyers and clergymen, who made or encouraged such efforts, formed associations—notably one of which Wallace was a member, meeting at Ranken's tavern, and hence known as the Rankenian Club. It was founded in 1716, and continued to be a focus of light and liberalism for nearly fifty years. The Rankenians studied philosophy as well as literature, and maintained an animated correspondence with Bishop Berkeley, who, though they pushed his system to an "amazing length," is said to have declared that nobody understood it better "than this set of young gentlemen in North Britain."[2]

In 1754, when this venerable society had perhaps survived its vigour, the Select Society was formed, chiefly through the exertions of Allan Ramsay, son of the poet, and of Wedderburn, who was its first chairman. It met every Wednesday evening from November to August in the Advocates' Library, and, permitting itself to discuss all topics but Jacobitism and revealed religion, was more a school of oratory than of letters. Charles Townshend, after taking part in one of the debates, twitted the members with being unable to speak, though they could write, English, and suggested that they should employ an interpreter.[3] Two years later, in 1761, Thomas Sheridan, father of the dramatist and politician, visited Edinburgh as a teacher of elocution; professors,

[1] Tytler's *Kames*, 1807, i. 165. [2] Morren's *Annals*, i. 300.

[3] Campbell's *Lord Chancellors*, vi. 34. Carlyle represents the Poker Club as an offspring of the Select Society, Campbell as its parent. The dates of the latter are obviously erroneous; but he had access to the Rosslyn papers, and on this point had evidently detailed information.

judges and ministers thronged to his lectures;[1] and the Select Society, mindful of Townshend's jibe, appointed certain directors, of whom Robertson was one, to promote "the reading and speaking of the English language in Scotland." Scotsmen, desirous of acquiring the correct English accent, might perhaps have found a better tutor than one whose nationality was betrayed by his brogue. If we may judge from the fragment preserved by Lord Campbell,[2] Sheridan's rules of pronunciation cannot have been easy to comprehend, much less to apply; and one is not surprised to learn that, when the Select orators essayed to speak as they had been taught, the result was a perfect babel, and few of them persevered in the attempt for more than twenty-four hours. A Mr. Leigh was, however, engaged at the Society's expense "to teach the pronunciation of the English tongue with propriety and grace."[3]

The founders of this club had projected at the same time another outlet for their activity in the *Edinburgh Review*. The only two numbers that were published—the first with a preface by Wedderburn—appeared in July and in December, 1755; and Robertson, Blair and Adam Smith were the chief contributors. A medical association had existed in Edinburgh since 1731, and, eight years later, it was reconstituted on a wider basis

[1] Somerville, p. 56.

[2] "The next progression of number is when the same note is repeated, but in such a way that one makes a more sensible impression on the ear than the other by being more forcibly struck, and therefore having a greater degree of loudness, as tĭ-tùm or tùm-tĭ-tùm-tĭ; or when two weak notes precede a more forcible one, as tă-tă-tùm, or when they follow one, as tùm-tĭ-tĭ, tùm-tĭ-tĭ."

[3] The compliment paid to England at a time when Scottish speech and manners were anything but popular in that country is said to have been fatal to the Select Society, which expired in 1765.—Rae's *Life of Adam Smith*, p. 120.

as the Philosophical Society. In 1783 it supplied the nucleus of a still larger body which was incorporated as the Royal Society of Edinburgh.[1] Glasgow too had its debating clubs, and its literary society, of which Leechman was a member; and a similar body existed in Aberdeen.

Meanwhile the strenuous mental cultivation, of which but an inadequate idea can be obtained from these facts, had rewarded its votaries with an abundant harvest. The latter half of the eighteenth century, which witnessed an immense advance in the material condition of Scotland, was also, as the reader need hardly be reminded, the most brilliant epoch in the history of her literature and science. Nowhere but in France was there so rich and varied an efflorescence of genius. The England of that day produced no such philosopher as Hume; no such opponent of his scepticism as Campbell; no such historians—to adopt the contemporary verdict—as Hume and Robertson; no such tragic dramatist as Home; no poet of such European reputation as Macpherson; no such novelist as Smollett; no such biographer as Boswell; no such preacher as Blair; no such economist as Adam Smith; no such geologist as Hutton; no such surgeon as Hunter; no such physician as Cullen; no such chemist as Black; no such engineer as Watt; and it was within this period that Robert Burns, the finest and fullest embodiment of his country's genius, lived and died. Many other names—most of them once familiar to foreign ears—are associated with the literary fame of Scotland in this short-lived culmination of her intellectual life—Kames, Monboddo, Hailes, Reid, Gerard, Beattie, Adam Ferguson, Wilkie, Watson, Henry, Somerville, Mackenzie, Stewart; and of one who

[1] Tytler's *Kames*, i. 169, 184.

is now perhaps the least remembered of these, it may be mentioned that Watson's *History of Philip II.* was translated into French, German and Dutch, and had reached a seventh edition before it was superseded by the researches of Prescott. One can readily credit the saying which Carlyle relates of the Russian princess whom he met at Buxton: "Of all the sensible men I have met with in my travels through Europe, yours at Edinburgh are the most sensible";[1] and the remark of Voltaire on reading Kames's *Elements of Criticism* was scarcely more ironical than true: "It is an admirable result of the progress of the human spirit that at the present time it is from Scotland we receive rules of taste in all the arts—from the epic poem to gardening."[2]

This period, interposed between the twilight of the Covenant and the dawn of the Disruption, has been termed "the midnight of the Church." The sun of righteousness had, it seems, set; but that luminary in Scotland has always emitted more heat than light; and during those hours of darkness, whose coolness was welcome to a sleepless industry, it must have been consoling to see the literary firmament illumined with so many brilliant stars. Moderatism was, indeed, the master spirit; for it ever insisted that a creature so variously endowed as man has other faculties to develop than that which is technically termed his soul; and all the divines who distinguished themselves as philosophers and historians belonged, without exception, to this school. If the Church had continued to be ruled on the principles of those who wrote against *Douglas*, there would have been no toleration for Hume; Robertson, instead of adhering to his motto, *Vita sine Literis Mors*,

[1] *Autobiography*, p. 422.
[2] Hume Brown's *History of Scotland*, iii. 371.

would have been absorbed in what Shaftesbury called "the heroic passion of saving souls"; and the General Assembly would never have listened to such a speech as this: "Who have wrote the best histories, ancient and modern? It has been clergymen of this Church. Who has wrote the clearest delineation of the human understanding and all its powers?—a clergyman of this Church. Who has written the best system of rhetoric and exemplified it by his own orations?—a clergyman of this Church. Who wrote a tragedy that has been deemed perfect?—a clergyman of this Church. Who was the most profound mathematician of the age he lived in?—a clergyman of this Church. Who is his successor in reputation as in office? Who wrote the best treatise on agriculture? Let us not complain of poverty; for it is a splendid poverty indeed! It is *paupertas fecunda virorum.*"[1]

It must, however, be admitted that there were characteristics of the New Moderatism which provided good material for satire. One of these was exhibited, as we have seen, in 1752 by certain "fiery charioteers"; and Witherspoon was happily inspired when, after the deposition of Gillespie in that year, he essayed "to open the mystery of moderation," and to point out "a plain and easy way of attaining to the character of a moderate man as at present in repute in the Church of Scotland." The aspirant to this distinction was desired "to take notice that it is an observation of Lord Shaftesbury that 'the best time for thinking upon religious subjects is when a man is merry and in good humour'; and so far is this observation drawn from nature that it is the time commonly chosen for this purpose by many who have never heard of his lordship or his writings." Thinking

[1] The speaker was Carlyle.—*Autobiography*, p. 561.

upon religion, when he thinks upon it at all, in this genial mood, the moderate divine will naturally befriend its reputed enemies, such as heretics—who are commonly able and learned—and men of loose life, particularly if their looseness takes the form of "good-humoured vices." Wickedness no more than heresy can be combated till it is understood; and how is a minister to understand it "unless he either practises it himself (but much of that will not yet pass in the world) or allows the wicked to be bold in his presence." Sailors are known by their rolling gait, tailors by the shrug of their shoulders; but a minister, superior to such mean employments, should see that there is nothing to distinguish him as such in his dress, his manner or conversation—unless, indeed, he should think it worth while to argue "in an easy and genteel manner against swearing." In the pulpit his sermons must be of the paganised Christian type, and cannot be allowed to be good unless they are utterly distasteful to the people. Scripture, being somewhat austere and mystical, he must use with caution. As it is almost impossible to be anything but orthodox in prayer, he will do well "to deal as little that way as possible"; and he should study with great care certain philosophical works, the sum and substance of which may be thus expressed: "I believe in the beauty and comely proportions of Dame Nature, and in Almighty Fate, her only parent and guardian; for it hath been most graciously obliged (blessed be its name) to make us all very good." When called upon to take part in the settlement of a parish, he should not be misled by an unfortunate utterance of Lord Shaftesbury—testifying to the imperfection even of that great man—that it "belongs to men of slavish principles to affect a superiority over the vulgar and to despise the multi-

tude." On the contrary, he should defer entirely to the patron and noble heritors, who, as they seldom attend Church, must be disinterested judges of "preaching gifts"; and he should have no scruple in coercing those stupid and stubborn zealots who oppose patronage, and profess to have a conscience when better people are content with a "moral sense." "However a horse might be managed, which is a generous creature, nobody could think of another method to make an ass move but constantly to belabour its sides."[1]

This clever skit was sufficiently lifelike to ensure its success as a caricature; and we are fortunate in possessing a contemporary document, which enables us in some measure to test its truth. The polished and singularly handsome minister of Inveresk, a graceful dancer and a formidable golfer, who had opened to his brethren the portals of the theatre and had set them "the first example of playing cards at home with unlocked doors," was the social, as Robertson was the official, head of the New Moderatism; and the reader who turns from Witherspoon to Carlyle as revealed in his *Autobiography* is likely to recall a remark of the satirist: "I remember an excellent thing said by a gentleman in commendation of a minister, that he had nothing at all of the clergyman about him." Much as we read in these fascinating pages of "fine dinners," "fine women" and fine scenery, religion, except in the convivial form of Assembly politics, is never mentioned. Carlyle, indeed, writes so entirely as a man of the world, and is obviously so convinced that his office demands no other tone that the unimaginative reader may find it difficult to think of him as the occupant of a pulpit. For example, he tells us that in 1756 the Carriers' Inn began to be frequented by members of the

[1] "Ecclesiastical Characteristics," in Witherspoon's *Works*, vol. vi.

General Assembly, who called it the Diversorium. He and John Home suspected that it was the handsome landlady who attracted their friends, but found that she was "an honest woman" who had secured their custom by getting her husband "to lend them two or three guineas on occasions." Detained on his way to Inveraray by the artifices of another landlady no less astute, he gives her whisky and prevails upon her "to taste it without water." When Carlyle's friends are removed, they are not "called away," they do not depart this life, or even die. They succumb to fate. On the death of Lord Drummore, more estimable as a judge and as a man than as a ruling elder, we have this charitable, but somewhat unexpected, comment: "After Lord Drummore became a widower, he attached himself to a mistress, which to do so openly as he did was at that time reckoned a great indecorum, at least in one of his age and reverend office. This was all that could be laid to his charge, which, however, did not abate the universal concern of the city and country when he was dying." The clergy whom Carlyle met at Harrogate were in general "divided into bucks and prigs"; and it is characteristic of him that he preferred the former because, "though inconceivably ignorant and sometimes indecent in their morals," they were "unassuming and had no other affectation but that of behaving themselves like gentlemen." The friends of his host and hostess at Newcastle were not attractive; but "two or three of their clergy could be endured, for they played well at cards, and were not pedantic." On one occasion we find him commending for preferment to the Duke of Queensberry a "handsome young man and fine preacher," who, however, "might be greatly improved in taste and elegance of mind and manners by a free *entrée* to Lady Douglas."

Here truly was an agreeable religion, and, if any gentleman could not "bring himself to like it," he must have been hard to please; but Hutcheson, the first expounder of its charms, had declared that the law of benevolence was as universal in the ethical, as that of gravitation in the physical, world; and one could wish that Carlyle had been less of an exception to the rule. With all its high spirits and zest for life, the *Autobiography* can hardly be described as genial; for the writer, though loyal to his chosen friends, is a critical admirer of his comrades, and a very uncritical hater of his foes. Jealousy of Robertson, if not of Blair, seems to have prompted such passages as that in which he alludes to their "imaginary importance"; and he describes his opponent Webster—the amiable Dr. Bonum Magnum—as one "who had no bowels and who could do mischief with the joy of an ape."[1]

When Carlyle was presented to Inveresk in 1748, he tells us that "there arose much murmuring in the parish against me as too young, too full of levity, and too much addicted to the company of my superiors"; and, nine years later, we find him described as one who scarcely acknowledged God "out of the pulpit," preached borrowed sermons, was slack in parochial visitation and

[1] Carlyle's *Autobiography*, pp. 293, 306, 308, 319, 323, 346, 379, 441, 475. Berwickshire in those days was a chief seat of Moderatism, and its clergy were apparently no "prigs." Laurie of Loudon, for example, quarrels with his clerical bedfellow at an inn, fights him, and turns him out. At a theatre on the English border he strikes a squire who had insulted him, and the affair is settled without the intervention of a magistrate on the ground that "it was only a drunken Scotch parson who had been riotous and was ignorant of English laws." On the occasion of a great flood in his parish he is twitted with "having delayed calling the people to prayers" till he saw the waters abating, and having continued in prayer a full hour till they had greatly fallen. "Laurie was perfectly pleased with so much address being ascribed to him, though he lost a little in the article of interest in heaven."—*Ibid.*, pp. 303, 478, 483.

discipline, spent the whole Sunday, except when at Church, in calling at country houses and "gallanting the ladies," played cards for money, danced and drank to excess, and delighted in profane songs, such as "De'il stick the minister."[1] This description was penned by the wild pamphleteer who declared that the Canongate theatre ought to be razed to the ground and its site salted with brimstone; and, but for the witness of Carlyle against himself, it would be entitled to small respect. There is reason, however, to believe that the Carlyle of the *Autobiography*—gay, convivial and combative—was not the whole man. His epitaph, written by Adam Ferguson, asserts that he was "faithful to his pastoral charge, not ambitious of popular applause, but to the people a willing guide in the ways of righteousness and truth"; and the words may be an exception to the mendacity of tombstones. Many of his parishioners were living at the beginning of Victoria's reign, and we are told that they cherished his memory and always spoke of him "with unfeigned admiration." In 1790, when the establishment of Sunday schools was regarded by his party with the greatest suspicion,[2] he exerted himself with success to form such an institution in his parish. It is a testimony to his repute as a pastor that his church became over-crowded, and a further proof of his zeal that, after a dozen years' struggle with his heritors, he procured the erection, though he did not live to see the completion, of the present structure. That his relations with local Dissent were cordial may be inferred from the fact that his people were temporarily accommodated in a Burgher chapel.[3]

[1] *The Player's Scourge*, p. 5. [2] See *Kay's Original Portraits*, 1877, i. 357.

[3] Stirling's *Inveresk Parish Lore*, pp. 175-181. The following statement was kindly communicated to me by the Rev. G. G. D. S. Duncan, then

As a revelation of character, the *Autobiography* must no doubt be preferred to external facts; but we may easily exaggerate the historical significance of this entertaining book; for men such as Carlyle were probably more conspicuous than common. It is noteworthy that the choice of a minister to preach to the General Assembly had never been opposed till the duty was assigned to him in 1760;[1] that Robertson, on retiring from the leadership, showed no disposition to consult with him as his successor "further than saying that he intended to do it"; and that he was defeated in his candidature for the Assembly Clerkship, chiefly, as he believed, owing to the timidity of his friends.[2] Happily, another minister of the same school has left us an account of his life; and those who desire to appreciate the normal temper of Moderatism will turn with more profit to Jedburgh than to Inveresk. It could not be claimed for Thomas Somerville that he had no vital interest but that of "saving souls"; for he was both an historian and a political pamphleteer; he loved good society and an occasional "jaunt"; he was attracted, "perhaps to a culpable degree," by the stage; and, in describing a visit of three months to London, he writes: "I spent the evenings, when not engaged at private families, either at the theatre or one of the beer-houses, as they were then called, which exhibited diversity of characters, particularly those in lower life." Nothing, however, can be more bracing and wholesome than the atmosphere of these memoirs; for the writer reveals

minister of Inveresk: "From a perusal of the Kirk Session and Parochial Board Minutes, I find that Carlyle was faithful to his pastoral charge, as his epitaph declares. He was much more amongst his people than his *Autobiography* leads one to imagine; and his interest in the poorest of his flock is noteworthy."

[1] *Fasti*, i. 287.

[2] *Autobiography*, pp. 289-291.

himself unconsciously on almost every page as a man of high and serious purpose, robust and generous, who embraces all diversities of religious opinion in his keen and kindly glance, and is incapable of pettiness, envy or malice; and it is, therefore, with no sense of incongruity that we catch glimpses of him, such as we never get of Carlyle, as a devout clergyman, zealous in the discharge of his pastoral duties. How different in spirit was the liberalism of the two autobiographers is evident from their attitude towards the attempt to free Scotsmen in England from the sacramental Test. Carlyle, not at all offended by the prostitution of a religious rite, derided the proposal as an unworthy concession to narrow-minded Presbyterians. It was on Somerville's suggestion that the General Assembly had applied for relief. When twitted with narrowness by Dundas, he declared "that I had no scruple of conscience to receive the sacrament at St. Paul's to-morrow, but that I would not do it as a condition of receiving and discharging my stipend"; and he tells us that he had always "considered the blending of religious tests with civil institutions as an intrusion into consecrated ground and a gross profanation of sacred things."[1]

We have seen that Witherspoon in 1753 represented Moderate divines as courting unpopularity by their love of declamation and pagan ethics; but the sort of preacher he attacked was even then a vanishing type. Dr. John Erskine, referring to the loose and florid style adopted by a few young ministers about 1730 remarked that "this

[1] Somerville's *Own Life and Times*, pp. 113, 141, 234, 241. It is characteristic of Somerville's liberality that he proposed to extend the benefits of his measure to the Seceders. At the present day one can appreciate the full force of his remark (p. 218): "I did not believe it possible that any religious sect could flourish or even continue to exist without the countenance of the fair sex."

flimsy taste was soon checked";[1] and Sir Henry Moncreiff, in his *Life of Erskine*, published in 1818, admits that "for more than half a century neither Hutcheson nor Shaftesbury has found his way to a pulpit in Scotland."[2] In seeking to justify his strictures in point of doctrine, Witherspoon asserted that the fundamental dogmas of Calvinism — original sin and imputed righteousness—were "little to be heard";[3] and this, doubtless, was true. Theology was almost as distasteful to the educated class then as it is now; and the style of preaching differed little from that which one understands to be general at the present day. There was no attempt to excite religious terrorism; and, though moral duties and graces were the principal theme, they were enforced by constant and even pathetic appeals to the life and teaching, the death and resurrection of Christ.[4] The once famous sermons of Blair, which, being wholly unread, are now remembered only by their condemnation at a time when dogmatism had temporarily resumed its sway, were not altogether an exception to this rule. There are at least not a few of these discourses which cannot justly be described as "one grain of the gospel dissolved into a large cooling draught of moral disquisition";[5] and Blair's work as a whole may fairly be summed up in the words of his funeral sermon: "Standing on the foundation of the Apostles and Prophets, he exhibited the doctrines of Christ in their genuine purity, separated from the dross of superstition." Carlyle was certainly no theologian, and he confesses that David

[1] *Sermons*, p. 269. [2] *Life*, p. 62. [3] *Works*, vi. 262.

[4] See *The Scottish Preacher*, 4 vols., 1789, and particularly the sermon by Cuming in vol. i.

[5] Chambers's *Scottish Biographical Dictionary*. The late Dr. Sprott, a few days before his death, drew my attention to the fact that the ethical character of Blair's sermons has been exaggerated.

Hume accused him on one occasion of preaching "heathen morality." Yet an Evangelical divine, referring to the divinity and atonement of Christ, could say: "I am well assured few have been more plain in preaching these important peculiar doctrines of Christianity than the clergyman who boasted it had been the great business of his life to preserve the Church of Scotland from fanaticism." [1]

Of all the Moderate ministers whose sermons have been preserved, the most mundane in choice of subject and the most unconventional in treatment was Samuel Charters, the neighbour and intimate friend of Somerville and his relation by marriage; and in him the reaction from florid luxuriance reached its limit. Grave and dignified in manner, a delightful companion and a warm-hearted friend, he has been described as "a splendid sample of the ecclesiastic of ancient days." He was offered, but refused, an important charge in Glasgow, and for more than half a century was content to be the pastor of a remote Border parish, aiming at no distinction but that of having formed around him a pious, enlightened and tolerant people. In the pulpit he cultivated a curiously abrupt, disconnected and aphoristic style, and made no scruple about what he called "doing for the Gospel what Socrates did for philosophy, bringing it from the clouds to the earth." His sermon on alms-giving, which was more than once printed, is full of sage maxims and apt illustrations drawn from a wide knowledge of books and life. On another occasion, preaching from the words of Amos to Hezekiah, "Set thine house in order, for thou shalt die and not live," he begins thus: "In the following discourse I shall propose reasons for making a testament without delay, and then mention

[1] *A Display of the Orthodoxy of Dr. M'Gill's Practical Essay*, p. 23.

the things that should be attended to in making one"; and, after observing that his principal appeal was to those who had property to dispose of, he concludes: "The hearer, who is more immediately concerned, and who is now resolved, can retire this evening and make his will." Charters was deeply religious, and if he chose frequently such commonplace topics, it was not from want of power. Reviewing a small collection of his sermons in 1811, Dr. Chalmers, who had then just entered on his Evangelical phase, said that they disclosed "an understanding of the higher order, where there is often great depth of observation and great vigour and brilliancy of eloquence," and that, though not explicitly dogmatic, they were "animated by the life and inspiration of the gospel." In their simplicity, homeliness, and force he found points of comparison with Wordsworth, Franklin and Bacon.[1] The minister of Wilton was rewarded with the "regular, peaceful, serious attention" of his parishioners; and admirable indeed were his devotedness and self-repression. "They only," he once said, "who have tried to instruct the ignorant know how much labour it requires, and how often the man of taste must deny himself, blunting the edge of his wit, dropping the grace of composition, breaking his large round period in pieces, making vulgar similes, and using words which shock the critic."[2]

At a time when ministers of this school preached so few of the doctrines they professed to believe, their relation to the Confession of Faith was naturally a subject of uneasiness and sarcastic comment. Writing as the

[1] *Christian Instructor*, 1811, p. 45.

[2] *Sermons by Samuel Charters*, 2 vols., Hawick, 1809. I have to thank the Rev. D. R. Kerr, New Machar, for directing me to a copy of this work.

ironical exponent of Moderatism, Witherspoon observed that a document "framed in times of hot religious zeal," and so unsuited to "these cool and refreshing days" that it was seldom mentioned without a sneer, could be signed only in token of compliment; "and our subscriptions have this advantage above forms of compliment in point of honesty, that we are at a great deal of pains usually to persuade the world that we do not believe what we sign."[1] There were some grounds for this sarcasm. Early in the eighteenth century a movement in favour of doctrinal freedom had made rapid progress amongst the English and Ulster Presbyterians, and we have seen that it had asserted itself north of the Tweed.[2] In 1736 a member of the Congregational Church at Nottingham was accused of heresy by his pastor, who had learned intolerance in Scotland and seems to have converted his vestry into a kirk-session; and, on his refusal to accept in its entirety the orthodox definition of the Trinity, the unhappy man, who had become bankrupt in goods, if not in faith, was first suspended from communion and then expelled. John Taylor, Presbyterian minister at Norwich, published an account of this incident,[3] which he stigmatised as a piece of "Dissenting Popery"; and in 1740 the same divine dealt a blow at Calvinism, from which perhaps it never wholly recovered, by confuting on Scriptural grounds its dogma of original sin. Taylor combined the fervour of a saint with the culture and liberality of a scholar; and, in dedicating a later work to his congregation, he addressed them thus: "Reject all slavish principles with disdain. Neither list yourselves nor be pressed into the service of any sect or party whatsoever. Be only Christians and follow only

[1] *Works*, vi. 162, 165. [2] See p. 192.

[3] *A Narrative of Mr. Joseph Rawson's Case*, 2nd edition, 1742.

God and truth." Probably through the influence of Leechman, with whom he had long corresponded, he was made a Doctor of Divinity of Glasgow in 1757.[1]

The general attitude of Moderatism towards religious speculation indicated neglect rather than desire for progress; but theological interests still survived, where they had once been dominant, in the west; and in this district, which had been influenced by Simson and was in frequent communication with Ulster, the teaching of Taylor met with a ready response. The most zealous disciple was Alexander Ferguson, who had been ordained as early as 1720 to the parish of Kilwinning; and in 1767 this aged minister made profession of his heterodoxy in the *Scots Magazine*. His letter, the authorship of which was no secret, is an exposition of the theme that the Bible and theology have little in common, and it deals severely with those who will not be at the trouble to study Scripture for themselves and "espouse a system as the easiest and shortest way to commence divines." The depravity of human nature and the doctrine of a vicarious sacrifice are both expressly denied. "No sentiment can be more unworthy of God than to think that he creates intelligent creatures sinners. He makes us upright and we make ourselves sinners." That there might be no question from whom he had derived these opinions, the writer refers to "that great and good man, Mr. Taylor"; and in an appendix, suggested by the scruples of some of his brethren with regard to the Confession of Faith, he defends subscription on the plea that "every man must be supposed to sign as agreeable to Scripture." The editor at first refused to publish this manifesto; and it was only after he had tested public feeling by printing it partially, and then in full, on the cover of his magazine

[1] Turner's *Lives of Eminent Unitarians*, pp. 321, 328.

that he consented, with many apologies, to reproduce it in permanent form.[1] Its reception by the Church was far from justifying his fears. Orthodoxy was indeed championed by a certain town-drummer; but the Presbytery disposed of him as "not immediately concerned and illiterate"; and, having appointed a committee to examine Ferguson, they declared themselves satisfied with his replies.[2]

The parishioners of Kilwinning had adopted the opinions of their pastor; and henceforth the religious life of Ayrshire was enlivened by a conflict between conservative and liberal ideas or, in local parlance, the Old Light and the New Light. The spirit of rationalism must have made considerable progress within the next twenty years; for John Goldie, "dread of black coats and reverend wigs," to whom Burns addressed his Epistle in 1785, seems to have been a precursor of Thomas Paine, and the essays in which he attacked revealed religion went into a second edition and were known as "Goudie's Bible."[3] Taylor's *Scripture Doctrine of Original Sin* was mentioned by Burns as one of the books he had read in boyhood; and the ancient ark of dogmatism, labouring heavily in controversial seas, offered a tempting mark to the young poet, whose pungent raillery it could neither silence nor evade. Argument, however, was not to be superseded by ridicule; and, whilst New Light ministers were encouraging the sharp-shooter and applauding his palpable hits, one of their number was more actively employed.

In 1786 Dr. M'Gill, one of the ministers of Ayr, published an elaborate and eloquent treatise, in which he combated the orthodox view of the Atonement, and

[1] *Scots Magazine*, April, 1767. [2] *Fasti*, iii. 182.
[3] Paterson's *Contemporaries of Burns*, appendix, p. 3.

in so doing made considerable inroads on the supernatural domain. It was through the excellencies of his life and character—excellencies which he shared, though in a higher degree of efficacy, with "good men in general"—that Christ was able to procure pardon for sinners; and the indignities he suffered and his death "were not the chief and ultimate ends of our Saviour's mission, nor any direct ends of it at all, but only incidental calamities." Christ had, indeed, given his life for mankind, but only in the sense in which a patriot, falling in the moment of victory, may be said to have given his for his country. The argument from prophecy, as then understood, was thus abandoned; and a disbelief in the deity of Christ, implied in the whole tenor of the book, was supposed to be avowed in several passages —notably in one which suggested that the agony of Jesus in the Garden might "arise in part from an apprehensiveness about the difficulty of maintaining a becoming temper and deportment under such inexperienced and awful trials as did now present themselves to him."[1]

A refutation of this treatise was attempted in several pamphlets, but no notice was taken of it in the ecclesiastical courts till the author in 1788 published a reply to a printed sermon,[2] in which he was taxed with "shameless impudence and unparalleled baseness," since he "with one hand received the privileges of the

[1] *A Practical Essay on the Death of Jesus Christ*, pp. 22, 24, 244, 275, 324. M'Gill's high character and diligence as a pastor were admitted by his opponents. It is related of him that "he played at golf a whole twelvemonth without the omission of a single week-day, except the three on which there are religious services at the time of the communion."—Chambers's *Life and Works of Burns*, iii. 47.

[2] The preacher was William Peebles, minister of Newton-on-Ayr, who was lampooned by Burns, and retaliated to the best of his limited ability in *Burnomania*, 1811.

Church, while with the other he was endeavouring to plunge the keenest poniard into her heart." M'Gill may have proved that to enforce assent to a scheme of doctrine constructed by certain fallible men out of inspired writings was "altogether wrong"; but, as in point of fact certain other fallible men had done this, he was less successful in showing how he could honestly subscribe an interpretation of Scripture which differed in many respects so widely from his own. In 1789 the Synod of Glasgow and Ayr took action on a complaint of heresy; and after the lapse of a year, during which the case was twice remitted from the Synod to the Presbytery, and as many times from the Presbytery to the Synod, it ended where it had begun with a "declaration and apology" from the accused, in which he expressed regret for the manner in which he had treated certain doctrines, including "the original and essential dignity of the Son of God" and the Atonement, and declared his belief in those great articles as they were laid down in the standards of this Church. The Synod gave "thanks unto God" for so happy a conclusion of its labours, and thus aggravated its iniquity in the eyes of an orthodox pamphleteer, who described the whole affair as "one of the most awful tragedies ever acted on the stage of time."[1]

The heterodox tenets disclosed in this case seem to have prevailed mainly, if not exclusively, in the west of Scotland; but Moderatism, as a whole, had reduced theology to the narrowest limits; and M'Gill may have

[1] *Proceedings of the very reverend, The Synod of Glasgow and Ayr*; *Remarks on the late Proceedings*, p. 12; *Fasti*, iii. 93; Burns, *The Kirk's Alarm*. As M'Gill pointed out in his reply to Peebles, the Confession acknowledges the paramount authority of Scripture; but unfortunately the Westminster Divines had assumed that Scripture and their interpretation of it were one and the same thing.

been justified in assuming that the bulk of his party concurred with him in his attitude towards the Confession. For some years before he retired from the Assembly in 1780, the more violent followers of Robertson had become dissatisfied with his leadership; and he himself told Sir Henry Moncreiff that there was no proposal which caused him more uneasiness and exposed him to more annoyance than that for abolishing subscription. He refused to countenance this scheme, but "was so much teased with remonstrances on the subject that he mentioned them as having at least confirmed his resolution to retire."[1]

If in this respect the policy of Robertson gave offence to the more liberal of his party, there was another in which it was condemned as too lax. In his opinion, as afterwards in that of Lord Cockburn, the weakness of the General Assembly as a court of justice was "its essential defect"; and, though he might not have concurred in that judge's assertion that "nothing can ever make a mob of 300 people a safe tribunal for the decision of private causes,"[2] he was at least convinced that great vigilance and method were necessary to achieve that result. Hence in all cases affecting the moral character of the clergy he insisted that the procedure in every detail must conform to fixed rules, and that the evidence of guilt must be not only convincing but technically complete.[3] This principle may have been as salutary as it was novel; but we have seen that Robertson's zeal in promoting patronage was in marked contrast to his caution in enforcing discipline, and that a revolt, due to both of these causes, took place amongst his followers

[1] Stewart's *Life and Writings of Robertson*, p. 297.
[2] *Life of Jeffrey*, i. 182.
[3] Stewart's *Robertson*, p. 175.

in 1765.[1] The leader of this movement, which had the support of Cuming and found expression in the Schism Overture, was the Ex-Moderator Oswald; and in a pamphlet written by this minister it is stated that the dissentients had not "once muttered" against their leader "till he gave his countenance and aid to an old fornicator,"[2] and did not openly rebel till "a fixed resolution seemed to be taken to make the sacred office pass current by the mere will and pleasure of men in power, like the office of the meanest exciseman, and at the same time to baffle all attempts to purge the Church of corrupt and scandalous members by insisting upon the necessity of what is called Legal Evidence."[3]

However Moderatism may have acquitted itself to the clergy as a censor of faith and morals, it certainly showed no disposition to exercise this function in a wider field. In 1755 the attempt of George Anderson, an aged but vehement divine, to brand with ecclesiastical censure the writings of David Hume and Lord Kames, the latter of whom he stigmatised as "an elder who has disowned the authority of Almighty God," resulted only in the Assembly expressing its "utmost abhorrence" of the impious and infidel opinions "so openly avowed in several books published of late in this country." In the following year the Committee of Overtures, after a debate which lasted for two days, resolved by a large majority not to transmit to the Assembly a proposal for the appointment of a committee to examine Hume in person and to inquire into his works; and in a pamphlet attributed to Blair this decision was defended on the ground that "the proper objects of censure and reproof are not freedom of thought but licentiousness of

[1] See p. 176. [2] Carson, minister of Anwoth. See Morren, ii. 294.
[3] *Letters concerning the Present State of the Church*, p. 36.

action."[1] Blair and other leading Moderates were Hume's intimate friends. It was stated in the Assembly that they were "supposed to frequent his company in order to his reformation";[2] but Edinburgh, according to one authority, was more remarkable for scepticism than faith; and the clergy, whose hours of social relaxation were devoted to the conversion of infidels, must have found society more exhausting than the pulpit. "You must treat the Heathens with proper respect," wrote Professor Gregory to Beattie on December 31, 1766, "and consider that they are now by far the most numerous and powerful party, and that they treat us who pretend a regard to religion as either fools or hypocrites. Seriously this is the case. . . . In my younger days many of my friends were no Christians, but they were zealous Deists and believers in a future state of existence. But such a distinction does not now exist. Absolute dogmatic atheism is the present tone."[3]

It is probable that this picture of pagan exultation over a prostrate faith is considerably over-charged;[4] but,

[1] Morren, ii. 54, 86. [2] *Ibid.*, p. 91.

[3] Margaret Forbes's *Beattie and His Friends*, p. 30.

[4] Writing in the same year, Oswald, who had just published a reply to Hume, remarked that a profession of scepticism had ceased to be fashionable: "In the best company, and those who have enjoyed the benefit of a liberal education, you never meet with those outrages on things sacred which are yet too common amongst the lower gentry and are indeed the characteristic of the would-be gentleman."—*Letters concerning the Present State of the Church*, p. 26. That Gregory did not weigh his words may perhaps be inferred from his statement that he knew none of Hume's disciples who had ever read his *Treatise on Human Nature*.—Sir William Forbes's *Life of Beattie*, p. 141. But there must have been something exceptional about this time in the intellectual life of Edinburgh; for Blair's colleague, Robert Walker, referred in 1773 to "the multitude of professed infidels, who grasp at the character as a title of honour, and even struggle beyond the bounds of moderation to obtain it."—Walker's *Sermons on Practical Subjects*, i. 11.

if we are to believe that, whilst Moderatism was breeding heretics in Ayrshire, it had capitulated to free-thinkers in Edinburgh, there was at least one district in which it manifested quite a different spirit. In the days of the Covenant, when dogmatism had enslaved the Church, there flourished at Aberdeen a school of theologians who were the representatives of intellectual freedom; and now, when orthodoxy was rather oppressed than oppressive, its defence was undertaken, in a spirit not unworthy of their predecessors, by another group of "Aberdeen doctors." To this group belonged Reid, founder of the Scottish philosophy, Campbell, Gerard, and two laymen —not so courteous and tolerant as their clerical friends— Gregory and Beattie. In 1762 Reid conveyed to Hume, in name of the Aberdeen Philosophical Society, the compliments of his "friendly adversaries," and added: "Your company would, although we are all good Christians, be more acceptable than that of St. Athanasius."[1] When Campbell had written his refutation of the famous argument against miracles, he submitted the manuscript to Blair, and Blair, with his approval, submitted it to Hume; and the criticism of his opponent not only induced the author to delete or qualify some harsh expressions, but enabled him, by anticipating objections, to strengthen his case.[2] Beattie, a facile and popular writer, was the only one of the Aberdeen apologists who imitated the vehemence and truculence of their English ally, Warburton; and, polemical divinity being as distasteful to them as to other Moderates, they all contented themselves with what Gerard called "the pure simple practical doctrine of Christ."[3] Gregory said that he

[1] Laurie's *Scottish Philosophy in its National Development*, p. 161.
[2] Campbell's *Dissertation and Sermons*, 3rd edition, i. 10.
[3] *Sermons*, ii. 163.

had looked into several theological works, but had never read one through: "To darken what is clear by wrapping it up in the veil of system and science was all the purpose that even the best of them seemed to me to answer."[1] And Campbell in 1771, preaching to his brother ministers in a strain very similar to that in which he had addressed them almost twenty years earlier, condemned "the many curious expedients by which the gospel, if I may so express myself, has been put to the torture to make it speak the various and discordant sentiments of the multifarious and jarring sects into which the Christian world is unfortunately split."[2]

Such then, in its phases and local diversities, was the type of culture which Moderatism had endeavoured to foster in the Church; and few contemporary opinions are more disputable than that which found in an unpopular statute the principal cause of its success. The character of the clergy could not, indeed, but be affected by the mode in which they obtained access to their cures; but it shows how little Moderatism was dependent on the operation of patronage that it mounted almost to supremacy without incurring any serious obligation, and even in spite of decided opposition on the part of its leaders, to the law which was afterwards to be invoked in its support. The use of catechisms, such as the "Auchterarder creed," intended to debar all but extreme Evangelicals from entering the ministry, had been forbidden;[3] the ultra-Calvinism inculcated in the *Marrow of Modern Divinity* had been condemned; Professor Simson had been gently rebuked for Arminianism,

[1] Sir William Forbes's *Life of Beattie*, i. 179.

[2] *Dissertation and Sermons*, i. 352.

[3] For this and the points that follow, see *Scotland and the Union*, chaps. vi. and vii.

and, when convicted of Arianism, had been allowed to retain his salary under a sentence of suspension; another Professor had been prosecuted in vain, nominally for certain doctrinal tenets, but really, it may be presumed, for his ridicule of religious enthusiasm—that "crazy imagination" on which "we are all painted as miscreants, infidels, reprobates and I know not what"; the liberality of such men as William Wishart, Wallace and Telfer had occasioned "melancholy cries in point of doctrine"; Shaftesbury had been quoted with approval by "paganised Christian divines"; and all this backsliding had taken place whilst the patron in most cases was still denied his rights. Patronage, as we have seen, did not come into general use till about 1735, was not rigorously enforced till 1752, and survived as a nominal grievance till 1784; and we shall find that the clerical advance in knowledge and refinement, which had begun before that period of fifty years, was not maintained at its close.

The advocates of popular election were few and undistinguished; but presentation as opposed to the choice of heritors and elders was resisted to the last by William Wishart, who had frequented the London theatres when Carlyle was yet at school; and one of its most determined opponents was Professor Hutcheson, who attacked it with great vigour in 1735 as a gross violation of the Union, as so odious an abuse that no minister "dared to open his mouth" in its favour, as calculated, even in its then imperfect state, to foist on the Church "worthless, immoral or weak men," and as certain, when no longer restrained, to cause "terrible evils." It is curious to observe that, whilst Carlyle advocated patronage because he wished to enlist for the ministry polite and scholarly men who should be "companions and

friends of the superior orders," it was precisely for this reason that Hutcheson opposed it. In his pamphlet of 1735 he predicted that, when patronage was fully established, the Scottish clergy, neglected by the gentry, who had no share in their appointment, and despised by the populace, would be "the most despicable set of Churchmen in Christendom." Livings, no longer the reward of piety and learning, would be engrossed by political drudges and social sycophants or offered for sale; and men who aspired to culture and independence would scorn to buy. "The poor illiterate wretch, who never was accustomed to a better way of life than a ploughman, who desires no books or learned conversation or society with gentlemen, he is the sure purchaser." Carlyle seems at last to have been convinced that this apostle of the gentlemanly religion, who thought the ministry "contemptible upon no account if it be not perhaps thought so by reason of so many people of very mean birth and fortune having got into it," had seen further into the reality of things than most of his pupils. Writing in 1780 he remarked that the last two General Assemblies had been attended by none of the superior judges and by "not so much as one landed gentleman worth £300 a year"; and he continued thus: "Young men of low birth and mean education have discovered that livings may infallibly be obtained by a connection with the most insignificant voter for a member of Parliament,[1] and superior spirits, perceiving that the most distinguished among the moderate clergy had not for many years power of recommending to benefices, have

[1] "Eglinton would give that kirk and everything else to the tenth cousin of the tenth cousin of a voter in the shire of Ayr rather than to the most intimate friend he has in the world."—Burton's *Hume*, ii. 266.

generally betaken themselves to other professions."[1] That it was "chiefly a lower description of men," which at this period or a little later was entering the Church, was also observed by Lord Cockburn, who found that Robertson's policy had divided the ministers into two classes, one and much the larger of which professed an "obsequious allegiance" to patrons, and the other adapted itself entirely to "the religion of the lower orders." About 1790 the clergy could still boast of several distinguished names; but during the next twenty years they made no important contributions to literature or science; and at the close of this period, "in Edinburgh at least, but I believe everywhere, they had fallen almost entirely out of good society."[2]

It is probable that patronage contributed rather to the declension of the clergy than to their rise; but Moderatism was more than a rule of policy; and the temper it embodied was too much in harmony with the age to be confined wholly to its ranks. The Evangelicals professed to walk in the old paths of faith and conduct; but they too had thrown off the shackles of an intolerant past; and the two men who had done most for their emancipation were Ebenezer Erskine and Whitefield. It was the rights claimed, not for patrons but for heritors and elders, that precipitated Erskine's revolt. That a congregation had a divine right to elect its pastor was an idea which he discredited by making it a ground of secession; and the gross fanaticism of the Covenant became apparent to many of its professed admirers when they saw it emerge from obscurity to become the touchstone of a new sect. The process of enlightenment was continued by Whitefield; for the great preacher, whose

[1] Graham's *Scottish Men of Letters*, p. 99, note.
[2] Cockburn's *Memorials*, 1872, pp. 202-204.

Calvinism endeared him to the Evangelicals, and whose influence was responsible for the extraordinary scenes at Cambuslang, was not a Presbyterian, much less a Covenanter, but an Anglican priest; and it was a principal object of his mission to promote the vital principle of religion and "a superiority to those grovelling prejudices which centre in externals."[1]

These things had occurred shortly before the opening of this work, and throughout the period we meet with many indications that the opponents of Moderatism, though they seldom conformed to the freedom of its social code, were assimilating its tolerance and good taste. In the country districts indeed, and notably in Ayrshire, much of the old bigotry survived; and Burns found a ready butt for his satire in such men as Moodie and Russell, who exerted their lungs to proclaim the "tidings of damnation," and their imaginative faculty to depict the horrors of hell. The dogma which inspired such preaching was firmly established in many Edinburgh pulpits; but it was more often latent than bluntly expressed, and was to be detected chiefly in that assumption of a cleavage between morality and religion—a state of nature and a state of grace—which gave the distinctive tone to an Evangelical discourse. Robert Walker, who was associated with Blair in the High Church, was deemed a skilful diluter of Calvinism; and Blair, when recalling the memory of his departed colleague, referred to "the elegance, neatness and chaste simplicity of composition in his sermons." John Erskine, the coadjutor of Robertson in Greyfriars, was a divine of a more archaic type; and on one occasion he sought to intimidate his "drowsy hearers" by reminding them "how stunning a surprise" it would prove if they were

[1] Somerville, p. 67. On this point see *Scotland and the Union*, p. 269.

to die in their unhallowed slumbers and were to awake in "outer darkness where shall be weeping and gnashing of teeth."[1] Always a keen theologian, he combated the spread of Methodism in Scotland, and published a refutation of its Arminian tenets in which he denounced Wesley's assertion "that right opinion is a slender part of religion or no part of it at all."[2] Little of his dogmatism was, however, brought from the study to the pulpit. Somerville, indeed, considered him the most "practical and useful preacher" he had ever heard;[3] and we have seen that he held in high esteem the writings of Leighton and Scougal. Webster, of the Tolbooth, whom for more than forty years the Popular party recognised as its leader, represented the unctuous orthodoxy of a still older school; and the congregation, which delighted in his fervour and pathos, was known as "the Tolbooth saints." Even more distinguished as a philanthropist and a man of affairs than as a preacher, he made larger concessions to the temper of the time than any of his friends; for, though seldom intoxicated, he was a hard drinker, and preferred as his boon companions those whose opinions were at variance with his own.[4] "Aptness to pray was," we are told, "as easy and natural to him as to drink a convivial glass"; and, if we may believe a keen opponent, his glasses were too often punctuated with the remark "that it was his lot to drink with gentlemen and to vote with fools."[5] Intemperance was also a vice, and the only one, of Andrew Crosbie, the most upright, learned and eloquent of Evangelical laymen; and no one who has read his pamphlet against patronage can need to be informed how fully the opponents of that system had outgrown

[1] *Sermons*, p. 188. [2] *Life*, by Moncreiff, p. 253. [3] *Life and Times*, p. 62
[4] *Ibid.*, p. 106. [5] Carlyle, p. 241.

their fanaticism, and on what wise and liberal maxims their policy was based.

It was, indeed, a remarkable fact that a party, which once included Wodrow and Boston amongst its members, should in 1766 have made it a principal objection to Dissent that it fostered "narrow and bigoted sentiments in religion as well as fierce and uncharitable debates upon matters of little moment";[1] and the change which had occurred may well be illustrated in the words of Oswald, who, though a revolted Moderate, must have spoken on this occasion for many of his new allies: "For my own part, I would not willingly give up the hopes I have long entertained of the clergy of Scotland. I have had the pleasure to see them add to that strictness of piety by which they were always distinguished a freedom of thought and gentleness of manners which gave me inexpressible delight. And being secured against cant and grimace by setting aside the pretended divine right of the people, I flattered myself, perhaps too much, with the hopes that in a little time this Church would, by the influence of men of true judgment, be fitted with such ministers as, through the blessing of God, would do eminent service to their country."[2]

We have seen that Moderatism had fought its way to supremacy in the face of those popular forces which maintained the tradition of a fanatical past; and the student who extends his survey from the Establishment to the Secession will find that he has passed at a step from the eighteenth into the seventeenth century. In 1736, two years after their sentence of deposition was recalled, the Seceders intimated their intention to form a separate communion by issuing a manifesto in which

[1] See p. 179.

[2] *Letters concerning the Present State of the Church*, p. 43.

they denounced, amongst other "public evils," the repeal of the laws against witchcraft; and they enforced their idea of separation by making it penal for any of their people to worship in a parish church. Soon afterwards they not only renewed the Covenant,[1] but imposed it as the passport of admission on both ministers and members; and the Covenant soon justified its reputation as an engine of strife. The father of the Secession was, as we have seen, Ebenezer Erskine. In 1746 he and several other ministers dissented from a decision of the Associate Synod, condemning as inconsistent with the Covenant a certain oath which was required of burgesses in Edinburgh, Glasgow and Perth; and, as they had thus "vented and maintained a tenet of mutual forbearance, authorising the toleration of known and acknowledged sin," the majority excommunicated them and delivered them "unto Satan for the destruction of the flesh,"[2] or, as a pamphleteer more forcibly expressed it, "sent them a-packing to the devil." The Anti-Burghers, whose leader, Adam Gib, somewhat exceeded even their ideal of intolerance, had a great superiority in numbers; but the Burghers were no inconsiderable body; and it was not till 1820 that the schism was healed. In 1782 we find the first of these sects distracted by a dispute as to whether a minister should or should not take the communion elements into his hands before the consecration prayer; and in 1805 some fifteen ministers left the second for reasons which the Court of Session, "after a long and patient hearing," confessed itself unable to understand.

[1] There were two Covenants—the National Covenant and the Solemn League and Covenant, but as the second was merely an extension of the first, it is convenient to treat them as one.

[2] Gib's *Display of the Secession Testimony*, ii. 98.

The Secession soon appeared in Ireland, and, despite the extreme reluctance of its students to cross the Atlantic, it was extended in 1753 to America. Men who laboured in the backwoods of the Hudson and the Delaware thought it unreasonable that their ranks should be split by a point of casuistry affecting a handful of their brethren in three Scottish towns; and in Pennsylvania Anti-Burghers scandalised their Synod by coalescing with Burghers. One of the missionaries, a Mr. John Mason, denounced what he called "the dry, the fruitless, the disgracing, the pernicious controversy about the burgess-oath," and was reported to have said: "The infatuation we have fallen into will amaze posterity." "Pope Gib"—to give him his popular designation—was at this period alarmed by a motion for union which had recently "spread like wild fire through different parts of the country." He at once proposed that the Synod should remove the opprobrious name of Mason from its roll; and, when the brethren pointedly refused, he absented himself from their meetings and did not return till, after four years, they complied with his demand. So powerful, however, was the sun of enlightenment now shining over Scotland, that even the cave-dwellers of Puritanism could not wholly exclude its rays. In 1763 we find the Anti-Burgher Synod subjecting two of its students to "the lesser excommunication" for essays which they had contributed to a certain magazine. In one of these, entitled "Reflections on the advantages of a liberal and polite education," the writer affirmed that a man of this stamp "stands the fairest way for gaining the applause of his indulgent Author who formed him in the womb and infused into his tender frame the principles of wisdom and humanity, of justice and benevolence"; and we

are told of the other essay that it "lauded in an offensive manner the reigning corruption of human nature." At the same time the Synod called to account its teacher of philosophy for inculcating such doctrine "as necessarily excludes the consideration of man's fall and of original sin"; and it concluded its labours in this field by warning candidates for the ministry "against an affected pedantry of style and pronunciation and politeness of expression in delivering the truths of the Gospel."[1]

These instances show that, if traces of incipient culture were not unknown amongst the Seceders, they were promptly suppressed; but Moderatism, in the full acceptation of that term, was only another name for the spirit of the age; and we are not to suppose that Dissent, within the compass of its own narrow bounds, was unaffected by that spirit. The question of ecclesiastical organisation was one that interested Churchmen and Dissenters alike; but, whilst the Moderates regarded patronage merely as the portal which was to open to them a fuller social and intellectual life, their dissenting brethren deemed the course of their opposition to patronage and other evils—what they called the maintenance of their testimony—an end in itself; and, if we consider the progress of their ideas on this subject, we shall find that they, too, were moving with the times.

The settlement of the Church on a Presbyterian basis in 1690 had been repudiated by a considerable number of the Cameronians on the ground that the Covenant was not renewed; and it is curious to observe that the first attempt to form another rival communion was made by a minister who held that this document should never have been framed. For many years after the Revolution

[1] M'Kerrow's *History of the Secession Church, passim.*

it continued to be a grievance that Presbytery had been shorn of political power; and John Glas, who was ordained in 1719 to a country living near Dundee, was prompted by the prevalence of this feeling in his parish to examine the standpoint of those who thought the present "a day of small things," and who looked back with regret to the time when there had been "a combination of the Church and State to make Christ a king by violence and the power of the sword."[1] He soon convinced himself that the theocracy which the Covenanters had sought to establish was a revival of that which had prevailed amongst the Jews, whose commonwealth was also their Church, and that, like the Jews, who expected another Messiah than Christ, they had mistaken a temporal kingdom for the spiritual one it prefigured. "Our covenants dealt only in externals, and were designed some way to exemplify that letter which is done away, and a poor exemplification of it they were."[2] In Glas's day, though a minister might be expected, he could not be constrained, to uphold the Covenant; but "the New Testament Church," as he conceived it, was merely a group of congregations united in brotherly love and "subject to no jurisdiction under Heaven"; and, as he refused to admit that the Presbyterian hierarchy had any scriptural warrant or that the magistrate could be called upon to repress heresy, he was deposed in 1730. The sect he founded was indebted for much of its small progress to his son-in-law, Sandeman; and the Glassites seem to have had this in common with the Moderates, that they attached no mystical significance to faith, and in social life were by no means austere.

[1] Glas's *Rise and Progress of the Controversy about the National Covenants.*
[2] *Ibid.*, p. 35, note.

It is worthy of note that the charge which was least insisted on against Glas was that which impugned his attitude towards the forcible repression of heresy; and he told his judges that he had yet to be informed whether the way in which he interpreted this article of the Confession was not "now the sense of this national Church."[1] The progress of opinion on this point becomes apparent when we turn to the next, and a far more important, schism. Erskine and his friends were so far from being disciples of Glas that, as we have seen, they renewed the Covenant; but they were careful to explain that they did so "in a way and manner agreeable to our present situation and circumstances," and, unlike the Cameronians, they did not scruple to recognise an uncovenanted king. As "the civil part" of the Covenant could not be reconciled with this concession, they left it out, and contented themselves with rebuking such steps of public defection as the Revolution Settlement and the Union in an "Acknowledgment of Sins." So, too, whilst engaging to "endeavour the reformation of religion in England and Ireland," they abstained from pledging themselves to the extirpation of heresy, and, paying an undeserved compliment to the humanity of their ancestors, alleged as their reason "that that word has been of late years abused to a sanguinary sense for propagating religion by force of arms—quite contrary to the mind of our reformers." The Covenant, as thus adopted, was to be their term both of ministerial and of Christian communion; but, as a qualification for the sacrament, it is said not to have been enforced in practice.[2]

[1] Glas's *Speech before the Commission*; *Works*, i. 284.

[2] Gib's *Display of the Secession Testimony*, i. 221, 230, 232, 272; M'Kerrow, i. 253.

It is evident that the Seceders, despite their boasted appetite for the Covenant, did not venture to swallow it entire; and now a new sect was to arise which turned in disgust from that stale and unsavoury meal. We have seen that the deposition of Gillespie in 1752 resulted in the formation of a body known as the Presbytery of Relief; and Gillespie, who had been associated with Whitefield, imparted to his followers much of his own broad and tolerant spirit. Greatly were the Seceders astonished when they saw certain ministers glide noiselessly out of the Church, neither testifying against its defections nor even refusing to hold fellowship with its pastors; and their astonishment gave place to indignation when these peace-loving brethren, not content with ignoring the Covenant, made overtures to its foes by announcing that they meant "occasionally to hold communion with those of the Episcopal and Independent persuasion who are visible saints." This decision, which startled both Church and Dissent, was attacked and defended in many pamphlets; and, when the Relief people were told that they had demolished the distinctive principles of the Reformation and "sat down" on the ruins, they asked whether the right of private judgment was not one of those principles, and whether—which was less disputable—their opponents had not seated themselves on the ruins of that. It was natural for the Seceders, with their tradition of a covenanted uniformity, to maintain that they were the true representatives of the National Church; but the Relief Synod, having repudiated the Covenant, made no such claim; and Hutcheson, their chief apologist, did not conceal his voluntaryism, asserting that "that church-state or establishment of religion, which is constituted by human authority or cannot exist without it, is not from Christ."

His ideas, and even his phraseology, were in great measure borrowed from Glas; but he had also been influenced by Pirie, the teacher of philosophy whom we have met with as obnoxious to the Anti-Burgher Synod. It was the singular fate of Hutcheson to be excommunicated by the Anti-Burghers, suspended by the Burghers, and denied admission to the Relief. The Burghers suspended him for heresy; but he had just published a powerful attack on covenanting as "a moral duty"; and he taxed his superiors with cowardice in not meeting him on this ground. In defiance of its Synod, one of the Relief congregations adopted him as its pastor; and from this retreat he attacked the national system of religion as recognised by the Seceders on the ground that it requires the civil power "to destroy all whom the clergy please to call heretics." "This," he said, "is Antichrist or the Revelation-beast."[1]

These movements in the sullen backwaters of Dissent are a testimony to the force of the current which was flowing with such vigour, and carrying with it so rich a freight of genius, through the channel of the national life; and this current can hardly be understood till we have traced it to the watershed of many similar streams. The remark has been made that Moderatism was synonymous with the spirit of the age; and this spirit as a creative influence, though England had done much to form it, emanated mainly from France. The intellectual movement, which found expression in French literature and philosophy, owed much at the outset to Hobbes, Newton and Locke; and about the middle of the century, when it adopted anti-Christian ideas as an instrument of social and religious reform, it was no less indebted to the English Deists. It was at this period that Voltaire,

[1] Struthers's *History of the Relief Church, passim.*

disgusted with the darkness, the cruelty and hypocrisy of Christendom, began his systematic attack on its creed, whilst the publication of the *Encyclopædia*, intended rather to diffuse knowledge than to assail its foes, was begun by his friends and correspondents at Paris; and the new ideas, systematised in that great work, soon permeated Europe. Thinkers and statesmen co-operated in the attack on the Jesuits, which commenced with their expulsion from Portugal in 1759 and ended with the suppression of the Order by Clement XIV. in 1773; and this was only one, though the most signal, of many similar triumphs. In one country after another liberal and humane maxims were successfully applied; opinion was released from its shackles; persecution ceased; abuses, which had existed for ages, social, ecclesiastical and judicial, were mitigated or disappeared; and the mission of enlightenment had its representatives, more or less accredited, at almost every Court: Choiseul in France; Pombal in Portugal; Aranda and Campomanes in Spain; Tanucci in Naples; Frederick the Great in Prussia; Struensee in Denmark; Catherine II. in Russia; Kaunitz and Joseph II. in Austria. It is not to be assumed that statesmen of this type did not exist in Great Britain because, except perhaps in the sphere of religious toleration, we do not find them engaged in the same tasks. Here practically were no Jesuits to be expelled, no monasteries to be reformed or suppressed, no papal authority to be crushed, no noble caste to be deprived of its exemptions and privileges, no censorship of the press to be relaxed, no serfdom or judicial torture to be abolished; and, though in England, and still more in Scotland, political power had become the privilege of a few, this was not one of the evils which the movement we are considering was intended to cure. Voltaire

and most of his friends were essentially monarchical; they had the good sense, the good taste and not a little of the cynicism of a luxurious and highly cultivated class; and, far from distrusting despotism, they valued and sought to use it as a means of reform. Their ideal was, indeed, that of a Europe regenerated from above by its scholars and rulers; and Voltaire was thinking of a very different revolution from that which was to astonish and dismay the few survivors of his band when he wrote in 1764: "The young are indeed happy, for they will see great things."

One cannot but perceive at a glance that this type of culture was identical with that which prevailed during the same period in Scotland; and, though many Scottish writers borrowed directly from France, and Edinburgh may have been almost as free-thinking as Paris, the identity is less apparent in detail than in general effect. We have seen that the Moderates, for the most part, were undogmatic preachers, polished gentlemen, men of the world; that the chief object of their policy was to foster in the Church an enlightened, rational, tolerant spirit; and that—if we may compare small things with great—they had no more compunction in using patronage to crush popular prejudice and passion than had a Pombal or a Joseph II. in employing for a similar purpose the resources of absolute power. We may smile at a liberalism so illiberal; but the alarm excited by the up-rising of the masses and the tyranny of half-educated opinion, which followed their partial emancipation, were equally detrimental to the progress of thought; and some three-quarters of a century were to elapse before religious and scientific speculation recovered the freedom it had lost. The age of Voltaire has much the same relation to the Revolution as that of Erasmus to the

Reformation; and humanism in both cases was overpowered, not from any inherent defect, but because it sought to do for the people what the people claimed the right to do for themselves.

We must, therefore, conclude that, whilst patronage had done little to assist the rise of Moderatism, it can only have contributed with more potent causes to blight the efflorescence of its genius. In the panic caused by the bloodshed and anarchy of the Revolution men saw in every liberal theologian a potential Jacobin; the barren orthodoxy, dear to a former generation, soon resumed its sway; and one sees in the pages of Ramsay of Ochtertyre, which were then being written, that this cultured observer cannot pass in review the intellectual progress of his time without being haunted at every turn by the spectre of an imperilled faith. Thus under darkening skies the eighteenth century in Scotland drew to a close. Happily at this period her people were pursuing with unabated vigour the path of material prosperity which we are now to trace; but the light which had given so sustained a brilliance to her literature, and that other and newer light, towards which the martyrs of her political freedom were struggling, had both gone out.

CHAPTER VI

MATERIAL PROGRESS

In the middle of the eighteenth century, when the Union had been in operation for more than forty years, the Scots were very far from being a wealthy or even a thriving people; but the colonial trade, which was the most coveted concession obtained from England in 1707, had not belied its promise; and the city, which engrossed its gains, stood forth in marked contrast to the general discontent. Glasgow, indeed, had not yet outgrown its old-world charm. With broad, clean streets, relieved from monotony by piazzas and crow-stepped gables, sloping gently southward to the river bank, bordered with meadows, and presenting a wealth of fruit and flowers to the sunlight which flashed from the quartz in its slated roofs, it was still the delectable spot which Richard Franck in 1656 had called "the nonsuch of Scotland where an English florist may pick up a posie."[1] Macky, who visited it in 1723, wrote: "The beautifulest little city I have seen in Britain; it stands deliciously on the banks of the Clyde";[2] and as late as 1736 it was described by one of its own citizens as "surrounded

[1] Hume Brown's *Early Travellers in Scotland.*
[2] *Journey through Scotland.*

with corn-fields, kitchen and flower gardens and beautiful orchards abounding with fruits of all sorts, which by reason of the open and large streets send forth a pleasant odoriferous smell.'' [1]

Industry, the offspring of commerce, was, however, exploiting for less savoury purposes this fair domain. The merchants of Glasgow had imported tobacco from Virginia and Maryland even before their right to do so was recognised at the Union;[2] but legitimate commerce afforded them a much wider field than smuggling; and their business was soon conducted on a considerable scale, began to make rapid progress about 1750, when more speculative methods were introduced,[3] and had attained to extraordinary dimensions for some years before it was ruined by the outbreak of the American Revolution. In 1769 more than half of all the tobacco imported into Great Britain was brought to the Clyde, and of 57,000 hogsheads exported, no less than 34,000 were despatched thence—chiefly to France and Holland. The shipping of the Clyde, reckoned at 5,600 tons in 1735, had so greatly increased in 1771 that it was

[1] M'Ure's *Glasgow*, p. 122.

[2] See Miss Keith's valuable paper in the *Scottish Historical Review*, October, 1908.

[3] Factors were appointed in the colonies who, as they increased in number, competed with each other in giving credit and even loans of money to the planters. Previously a supercargo, empowered only for purposes of barter, had gone out with each vessel.—Gibson's *Glasgow*, pp. 206-212. More than half a century has elapsed since Mr. Reid ("Senex"), in the new edition of *Glasgow Past and Present* (i. 399), expressed his surprise that "there exists no regular authentic history of the rise and progress of the tobacco trade in Glasgow." As the want is still unsupplied, we cannot satisfactorily account for the fluctuations of the trade before 1750, and for its extraordinary expansion thereafter, so far from the chief seats of industry in Great Britain. Of books dealing with the mere antiquities of Glasgow, there are more than enough.

believed to exceed 60,000;[1] and the population of Glasgow, which in 1753 Dr. Webster, the statistician of the Widows' Fund, computed at 18,336, had risen to 28,100 in 1765.[2] Fortunes, which staggered the imagination of a frugal age, were rapidly amassed; and one merchant is said to have owned twenty-five vessels in addition to their cargoes, and to have traded with a capital of half a million a year. Palatial mansions, with gorgeous lackeys "frisking across their barricaded courts," betokened the rise of a commercial aristocracy no less potent and haughty than that which had once ruled in Genoa and Venice. As they paced the Trongate in the splendour of their cocked hats, scarlet cloaks and gold-headed canes, these "tobacco lords" inspired as much awe as respect. The pavement was reserved for their use; and no inferior trader, whose courage had not been fortified by a nod of recognition, ventured to accost them.[3]

The colonial system of Great Britain was, in the words of Adam Smith, "less illiberal and oppressive" than that of any other nation; but the colonists, though they enjoyed a measure of free trade and in certain articles, such as tobacco, a monopoly of the home market, could obtain only from or through the parent State their manufactured imports. It was far beyond the capacity of Glasgow or even of Scotland to supply any large proportion of these goods, and threequarters of the cargoes shipped on the Clyde were derived from England;[4] but industry followed, though at a long interval, in the wake

[1] No doubt an exaggeration.—Gibson's *Glasgow*, pp. 211, 235. For the other figures see Macpherson's *Annals of Commerce*, ii. 583, and Knox's *British Empire*, p. xxxv.

[2] Denholm's *Glasgow*, 1804, p. 226.

[3] Strang's *Glasgow and its Clubs*, p. 39; Macgeorge's *Old Glasgow*, p. 238.

[4] Gibson, p. 235; Knox's *British Empire*, ii. 105

of advancing commerce. Soap, sugar and rope works had been established in Glasgow before the Union; linen-making was introduced in 1725, thread-making in 1731; and during the next twenty years ironmongery, copper work, earthenware, stockings and leather goods were all being manufactured for the colonial market. "Glasgow," exclaims a writer of 1751, "industrious, indefatigable and exemplary Glasgow! These people attempt almost every branch of trade, and in most of their undertakings they are very successful."[1] With the expansion of commerce after 1750, old industries developed and new industries arose. The American bark is said to have been unfit for tanning; and Pennant, who visited the city in 1772, found "vast tanneries" at work—one of them the second largest in Europe—and an equally extensive manufacture of boots and horse-trappings. "The magazines of saddles and other works respecting that business is," he wrote, "an amazing sight."[2]

In 1775 the discontent, which had so long smouldered in America, burst into war, and the commercial greatness of Glasgow suddenly collapsed. During the last four years, probably owing to a growing reluctance on the part of the colonists to buy goods of British manufacture, its exports had much declined; but the quantity of tobacco imported had increased; and in 1775 it reached its highest total—110,000 hogsheads, of which Scotland's, or practically in other words Glasgow's, share[3] was exactly one half. At the close of the war in 1782 the total importation, authorised and smuggled,

[1] *Collection of Papers on Stipends*, p. 163.

[2] Pinkerton's *Voyages and Travels*, iii. 237; Loch's *Essays*, ii. 27.

[3] Aberdeen and Dumfries had at one time a share of the tobacco trade, but soon lost it.

was scarcely a sixth of that amount;[1] and the shipping of the Clyde, which in 1771 was no doubt over-estimated at 60,000 tons, had fallen to 20,000.[2] Such of the Virginia merchants as happened to hold large consignments of tobacco when the supply was cut off made enormous gains, and most of them retired from business to live on their estates; but not a few were ruined, including Andrew Brown, the author of a *History of Glasgow*, whose firm failed for £40,000. Nor was it possible for the city when peace was restored to recover its position, since little of the tobacco intended for foreign markets would now be sent to Great Britain, and Ireland had recently been admitted to the West Indian trade. Nevertheless, however individuals may have suffered, the loss of America caused no real harm to Glasgow, and was soon found to have been positively beneficial. The decrease of shipping was no doubt largely due to the exigencies and misfortunes of war. Many of the swifter and bigger vessels must have been employed—as was the case at Liverpool[3]—as transports and privateers; and no fewer than 313 are said to have been captured.[4] Commercial intercourse with Great Britain during the war was, of course, prohibited by Congress; but the Americans paid little or no attention to this decree, and continued on a large scale to import British goods by way of the French, Dutch and Danish West Indies. Glasgow, indeed, does not appear to have obtained any great share of this traffic; but its citizens discovered the truth of Adam Smith's contention that the tobacco monopoly had been mischievous in so far as it diverted capital "from a direct foreign trade of consumption into a round-about one." European markets

[1] Macpherson, iii. 721.
[2] Cleland's *Glasgow*, ii. 389
[3] Macpherson's *Gazetteer*.
[4] Knox, ii. 554.

engaged more and more of their attention; and capital, which had taken a year and a half to realise its proceeds, was now employed thrice as profitably in business which yielded a return in six months. "Perhaps," wrote the ablest of the city's historians as early as 1777, "no circumstance could have occurred more fortunate for the manufactures of Glasgow than the stop which has for some time been put to the commerce with America."[1]

Glasgow, it need hardly be said, was still cut off from the sea. Its harbour was twenty miles distant; and, whilst many of the vessels owned by Virginia merchants were registered at this port, a still greater number belonged to Greenock, which had also a larger coasting and fishing trade. The site of Port-Glasgow was acquired by the corporation in 1662, and soon afterwards they built a stone quay within their original bounds at the Broomielaw; but Glasgow was so "tantalised with its river,"[2] which abounded in sandbanks and was fordable on foot about half-way between the city and its seaport, that only very small vessels could ascend the Clyde as far as this pier. In 1755 the magistrates consulted James Smeaton as to the best means of improving the channel, and on his recommendation they procured an Act of Parliament authorising the construction of a lock and dam four miles below Glasgow Bridge. Happily, before anything was done under the authority of this Act, it was superseded in 1770 by another, obtained on the advice of Golborne, who proposed to dredge the river and at the same time to contract it by throwing out rubble jetties. By such means the engineer hoped to remove the worst shoals and to ensure that there should never be less than seven feet of water at the

[1] Gibson, p. vii. [2] Pinkerton, iii. 236.

Broomielaw; and his operations were so successful that the magistrates presented him with a silver cup and with £1,500 in addition to the amount of his contract. On March 20, 1773, a local periodical informed its readers that "three coasting vessels" had come up the river from Ireland without unloading at Greenock; and in 1780 Glasgow was recognised for Custom-House purposes as an independent port. In that year, however, the "Triton" from Dublin had no "foreign" successor till, after three months, one arrived from the Isle of Man; and so late as 1807 the sight of a two-masted and square-rigged vessel—a brig of about a hundred tons—brought "thousands of persons" to the harbour.[1]

Much more important as a source of revenue was a new port which had been formed in the immediate vicinity of Glasgow. Charles II., influenced no doubt by the achievements in this sphere of his friend and ally, Louis XIV., had proposed to cut a canal suitable for both mercantile and naval purposes between the Forth and the Clyde; in 1722 a survey was made; and about 1760, when the Duke of Bridgewater was giving so great an impetus to inland navigation in England, the scheme of Charles II. was revived in a more modest form by the elder Pitt. Pitt's successors in office did nothing to promote his views; and private enterprise, when enlisted on behalf of the project, was directed more to local than to national aims. A company was formed at Glasgow to construct a canal only four feet in depth; but "the proposed ditch," too shallow for anything but Clyde lighters, met with great opposition on the east coast; the Bill in its favour was dropped; and in 1768 statutory powers were obtained for the con-

[1] Deas's *River Clyde*, pp. 1-8, 23; *Glasgow Past and Present*, i. 252; ii. 323.

struction of a canal, seven feet deep,[1] from the point on the River Carron where Grangemouth now stands, a mile above its junction with the Forth, to the meeting of the Dalmuir Burn and the Clyde, six miles below Glasgow. The first nine miles of the canal, begun in this year, were constructed by Smeaton, and, on his resignation owing to a difference with the directors, two other engineers advanced it nine miles further; but Smeaton was again employed and had carried the work to Stockingfield, six miles from its proposed termination and within half that distance to the north of Glasgow, when in 1777 operations were suspended for lack of funds. Glasgow, however, put itself in communication with the Forth by means of a branch canal terminating at Hamilton Hill, within a mile of the city, where a large basin was formed. The water-highway from the east conveyed far more shipping to this centre than the Clyde, even after it had been deepened by Golborne, brought to the Broomielaw; and, during the three months of 1780 which elapsed without any but local vessels making entry at that pier, the arrivals at Stockingfield averaged about twenty a week. At the other end of the canal the Carron had justified unfavourable forecasts by proving a difficulty to navigation, and three rival cuttings were made to the Forth. In 1784, as we have seen, Parliament assisted the baffled projectors with a grant of £50,000 from the forfeited estates. The last and most difficult part of the canal was entrusted to Robert Whitworth; and on July 28, 1790, it was opened to the Clyde—not at Dalmuir, but, three miles further down, at Bowling. These thirty-eight miles of inland navigation, available for the smaller ocean-going craft and attaining a maximum elevation of 156 feet, were the

[1] The depth actually attained was eight feet.

greatest achievement of the kind that had yet been attempted in Great Britain. Indeed, Whitworth's aqueduct over the Kelvin, which carried "a great artificial river over a deep valley, 400 feet in length," and presented to pedestrians the strange spectacle of vessels passing 68 feet above their heads, was said to have no rival in Europe.[1]

It is probable that but for the establishment of the Carron Ironworks in 1760 the realisation of this great project would have been still longer deferred; for Carron and Glasgow, with a view to their mutual advantage, had co-operated in promoting the ditch canal which reacted so powerfully in favour of the larger scheme. The founder of these works was Dr. Roebuck, a Birmingham physician, educated in Scotland, whose activities found a more fruitful field in chemistry than in medicine. At Prestonpans in 1749 he had introduced an improved method of manufacturing vitriol; but his attention was soon directed to the use of pit-coal—which had hitherto made little progress—as a substitute for charcoal in the smelting of iron. Capital added to his own by relatives and friends enabled him to carry out his ideas; and, having examined both sides of the Forth for a place which abounded in ironstone, coal, water-power and means of transport, he set up his foundry, near Falkirk, on the River Carron. The two furnaces there erected proved highly successful, particularly after Smeaton had introduced cylinders to work the blast; the Canal in 1777 afforded easy access to Glasgow, and in 1790 to

[1] Loch's *Essays*, iii. 78; Knox's *British Empire*, ii. 401; Denholm's *Glasgow*, p. 432; Phillips' *History of Inland Navigation*, p. 504. The notice in Smiles's *Lives of the Engineers*, ii. p. 58, is meagre and inaccurate. The total cost of the canal was more than £330,000. On its completion a new and larger basin was formed at Glasgow known as Port-Dundas.

the Clyde; and by the end of the century the Carron foundry had become "the greatest ironworks in Europe, conducted by the greatest company ever associated for carrying on a manufacture." Cannon, cast solid and bored by water-driven drills, were the chief product, and were supplied not only to the British, but to every European, Government. The short, light guns, of large calibre, known as carronades, had been invented at Cork in 1752, but the invention was of little use till it was perfected here, and adopted by the Admiralty, in 1779. All the varieties of iron-work then in use—pipes, cylinders, sugar-boilers, anchors—were also manufactured; and the Carron stoves and grates were "in almost every apartment in the British dominions where coal is burnt." About a thousand artisans, in addition to miners and quarriers, were constantly employed, and double that number in time of war. Several works on the same model, most of whose staffs had been trained at Carron, were established after 1788; and during the next eight years the production of iron in Scotland increased from 1,500 to over 18,000 tons.

Not content with his achievements in the manufacture of iron, Roebuck obtained a lease of the Duke of Hamilton's collieries and salt-works at Bo'ness. This venture proved so unfortunate for himself that it swallowed up all his capital, and forced him to withdraw from the works at Prestonpans and Carron; but Bo'ness profited by a considerable expenditure in wages, and was thus compensated to some extent for the rise in its neighbourhood of a rival seaport. On the Grange Burn, at the eastern end of the Canal, a village had been erected in 1777, which, growing rapidly under the name of Grangemouth, soon acquired a large Baltic and coasting trade. By the end of the century it had become

a more important place than Bo'ness, where, however, till 1810 its shipping was registered.[1]

The Union, which did so much for the prosperity of Glasgow, had long been unfavourable to that of the eastern towns. Edinburgh in ceasing to be the political capital lost much of its retail business; packmen, bringing East India goods across the Border, diminished the trade with Holland which had enlivened Leith and the Fife ports; smuggling and the salt-duties proved disastrous to fishing; and several industries, which had maintained a precarious existence behind tariff walls, such as the cloth factory at Haddington, were ruined by English competition. It must have been difficult, when a brighter day had dawned, to recall these dismal times of stagnation and gloom. The revival in this district was closely connected with the general development of textile manufacture which is yet to be traced; but it will be convenient to mention here some of its more distinctive features.

Between 1746 and 1770 various industries, more or less new, were established at Edinburgh, such as a sugar-refinery and works for the making of bottles and tallow candles; but the manufacture for which the city was most celebrated was that of leather. Its tanneries were no doubt less extensive than those of Glasgow, but their material was even more skilfully wrought. Vast quantities of boots were made for both the home and the West Indian market, and large orders for military purposes were received from Government during the American War. A preparation of leather, which gave it the appearance of tortoise-shell, was patented in 1756 by a certain Gavin Wilson—"in this line perhaps the

[1] *Transactions of Royal Society of Edinburgh*, vol. iv.; Macpherson's *Gazetteer*; Nimmo's *History of Stirlingshire*, ii. 611, 721.

greatest genius which this or any other country ever produced";[1] and, till the patent expired in 1770, his snuff-boxes and writing cases were in universal demand. Another distinctive industry, which began to flourish after 1738, was coach-building. From 1766 coaches made at Edinburgh were exported to the West Indies, Holland, France and Russia; and after the Peace of 1783 an order for a thousand "crane-necked carriages" was received from Paris. A few miscellaneous facts will illustrate the progress that was now being made. Between 1763 and 1790 the printing works of Edinburgh increased from six to sixteen, and the paper-mills in its vicinity from three to twelve—some of them the largest in Britain. The manufacture of paper rose from 6,400 reams to about 100,000; of printed cottons[2] from 150,000 yards to 4,500,000; of candles from 1,400,000 lbs. to 3,000,000. In the twenty years 1763-1783 the annual revenue of the Post Office expanded from about £12,000 to £40,000; and by 1786 the valued rent of houses liable to the land-tax had more than doubled.[3]

Before the middle of the century two double rows of good houses opening off the Canongate—New Street and St. John Street—had been built; but these did little to relieve the congestion of the narrow, crowded and squalid city; and at this period a movement was initiated for its improvement and extension. The objects proposed were to erect an Exchange, to provide accommodation for the public records and the Advocates' Library, and to open up approaches from the north, south and west. Encouraged by the offer of societies and individuals to contribute funds, the magistrates purchased

[1] Loch, ii. 6. [2] So-called, but really more linen than cotton.

[3] Arnot's *History of Edinburgh*, 1788, p. 595; Bremner's *Industries of Scotland*, pp. 109, 352; Creech's *Fugitive Edinburgh Pieces*, p. 61.

"several decayed houses"; and in 1752 the principal subscribers were recognised by Parliament as an executive commission. One of the reasons for the Act as stated in the preamble was the need of "proper areas either for erecting buildings or opening streets and places of resort."[1] The Royal Exchange was begun almost at once and soon completed; but the town council encountered opposition from neighbouring landowners when they proposed to extend their jurisdiction to "the fields in the north"; a Bill they had framed was put aside; and, without waiting to annex the proposed building-ground, they prepared to make a thoroughfare over the ravine which separated the city from that site. In 1763 the North Loch was drained; its bed was cleared of mud and strengthened with piles; and on October 21 was laid the foundation-stone of the North Bridge. Nothing further was done, however, till August, 1765, when William Mylne was appointed engineer, with such confidence on the part of the magistrates that they declined to make provision for superintending his work.[2] Their trust proved to have been misplaced; for Mylne contented himself with piers eight feet lower than the contract elevation; and in 1769, when the bridge was almost finished, its south-end collapsed, causing the death of five persons—a disaster which was due in some measure to weakness of foundation, but also to the great mass of earth imposed upon the stone-work in order to make amends for its reduced height. In 1772 the bridge was opened. On a site facing its northern extremity the Register House—for which £12,000 had

[1] *Statutes at Large*, vii. 532.

[2] Arnot remarks that the conduct of the magistrates in regard to the Bridge and the New Town was characterised by "a wonderful infatuation and misfortune." Amongst the improvements proposed in 1752, and not even yet realised, was a Town Hall.

been obtained from the forfeited estates—was then begun; but this work, like the Forth and Clyde Canal, was suspended for financial reasons; and it was not finished till 1788, with the assistance, as we have seen,[1] of another Government grant.

In 1767 the magistrates had obtained their desired Act for the northward extension; a plan of streets and squares was prepared by James Craig, nephew of the poet Thomson; and a premium of £20 was offered to the person who should build the first house. By 1790 the New Town had extended from the Register House to Castle Street, and in 1800 a further extension was designed; but its progress, rapid as it seems, was somewhat retarded by fears as to the stability of the bridge, by the negligence or greed of the corporation in allowing workshops and artisans' dwellings to be erected, and still more, perhaps, by facilities for house-building in another quarter. Mediæval Edinburgh, compact as it was, had overflowed southward into the low-lying Cowgate; and it was not till after the battle of Flodden in 1513 that this part of the city was enclosed within the walls. On this side the "royalty" had not yet been extended; and a sagacious speculator, foreseeing that people would build readily on ground which was not subject to the burgh rates, purchased a field which was soon converted into Brown Square and George Square. In 1768 the South Bridge over the Cowgate was finished; and, two years earlier, the North Bridge was supplemented, further west, by another means of access to the New Town—"an immense mound of earth," composed of building refuse, which is still called "The Mound."[2]

[1] See p. 119.

[2] Arnot, pp. 311-319; Chambers' *Traditions of Edinburgh*, pp. 11-21 Creech's *Fugitive Pieces*.

Leith, since the time of the Reformation, had been a dependency of Edinburgh,[1] and it was not till 1832 that the much oppressed town emerged "from the yoke of feudal vassalage," and took rank as a burgh. A dozen years after the Union some sort of dock was constructed—so insubstantial that it was continually under repair, and the old wooden wharf was extended a hundred yards by means of a stone pier; but the shipping of Leith made so little progress from 1692 to 1744 that it increased only from 1,702 tons to 2,285. About this period, however, the revival set in. In 1752 the shipping, which had increased so slowly in the course of half a century, was much more than doubled; and next year the Act for the improvement of Edinburgh was accompanied by another—nullified by the want of financial provisions—for the enlarging and deepening of Leith harbour. In 1777 the short pier, afterwards known as the custom-house quay, was built; but in 1784 a proposal to carry out a more ambitious scheme by means of increased tonnage dues was successfully opposed as inimical to trade; improvements authorised by an Act of 1788 were not carried out; and the docks, which now cover so large an area, were not begun till 1800. Such an extension of the port had long been urgently required. In 1792 the registered shipping amounted to 18,000 tons; and the shore dues payable to Edinburgh, which in 1763 yielded £580, had risen in 1783 to £4,000. Timber from Scandinavia and

[1] The people of Leith had purchased the superiority of their town from Logan of Restalrig, and Mary of Lorraine promised to make it a royal burgh. Her daughter, Queen Mary, however, mortgaged the superiority to Edinburgh, and failed to redeem it; and in 1567 "Leith was entered as a conquered town by the greasy burgesses of Edinburgh."—Campbell's *History of Leith*, p. 93. The ill-feeling excited by this affair is not yet extinct.

Russia, hemp, flax and tallow were the principal imports. Only two British ports are said to have surpassed Leith in the volume of their Baltic trade; and then as now wool and printing-paper were shipped in large quantities to London. The growth of industry kept pace with that of commerce. Bottle-making and soap-making were the chief occupations; but there were candle, rope, canvas and barrel works, graving docks and shipbuilding yards. In 1747 only one glass-furnace was at work. In 1790 there were six; and from 1763 to 1790 the manufacture of soap expanded from half-a-million to six million lbs.[1]

On the north side of the Forth depression had begun before the Union, and the revival was longer delayed. The Fife coast, at a time when it was compared to a fringe of gold on a beggar's mantle, had been the most flourishing part of Scotland, and its prosperity culminated during the half-century of peace which preceded the outbreak of the civil war in 1644. Great shoals of herring then frequented the Firth, and Crail, where several hundred boats assembled each season, was the busiest of many fishing towns. A considerable foreign trade was carried on with France and the Netherlands—particularly with the latter, in which Campvere was the official, but not the only, emporium of Scottish goods. Dysart owned thirty-six brigs, and had so bustling a market that it was known as "Little Holland." Kirk-

[1] Campbell's *History of Leith*, pp. 206-212, 254-262; Irons' *Leith and its Antiquities*, ii. 146, 167-178, 200; Loch, ii. 7; Creech. The Leith soap was at first contemned as much inferior to that made in London, and, in deference to this prejudice, it was frequently put on board vessels bound from London to Bo'ness. Sometimes it was even landed again within twelve hours at Leith Pier; and Mr. Loch, who had a considerable share in the works, would then be greeted thus: "You may continue your soaperie or not as you please; but, take my word for it, you will never be able to make soap like this at Leith."—Loch's *Essays*, i. 201.

caldy, when its charter was renewed by Charles I., is said to have possessed "a hundred sail of ships"; and the burgh records prove that ninety-four vessels belonging to the port were lost by storm or capture from 1644 to 1660. This was a disastrous period for the merchants and ship-owners of Fife. Some of them were impoverished by loans to the revolutionary Government; many were slain or dispersed in the civil war; and Monck's pillage of Dundee, where all their goods had been deposited, "completed the ruin of those wealthy and industrious tradesmen."[1] No fewer than 480 persons belonging to Kirkcaldy were killed—200 of them on the field of Kilsyth. A recovery of trade after the Restoration was retarded by the two wars with Holland; and the Union, as we have seen, proved injurious in this district to both fishing and commerce. An expatriated Scotsman, who traversed the Fife coast in 1723, described its towns, Kirkcaldy excepted, as mere "heaps of decay"; and in 1760 the shipping of Kirkcaldy had dwindled to one coasting vessel and two ferry boats. Pennant in 1772 found St. Andrews "greatly reduced." Once there had been sixty or seventy bakers in the town —now there were but nine or ten; only one vessel "of any size" belonged to the port; and manufactures were represented by "several people" employed in making golf balls.[2] Fishing could not be expected to revive, as the herring shoals had ceased to visit the Firth; but in other respects the impulse of the time made itself felt. Pittenweem, which had greatly declined, was "saved" by the opening of collieries and salt-works,

[1] Lindsay's *Interest of Scotland*, p. 89.

[2] "The trade is commonly fatal to the artists, for the balls are made by stuffing a great quantity of feathers into a leathern case by help of an iron rod with a wooden handle pressed against the breast, which seldom fails to bring on a consumption."

and a new harbour was built. In 1764 ship-building was begun at Dysart, and before the end of the century both Dysart and Kirkcaldy had developed so large a foreign trade that the shipping of each amounted to 4000 tons.[1]

The fisheries have been more than once mentioned, and it will be convenient at this point to review their progress. The firths and salt-lochs of Scotland had once been a principal source of its wealth. In the far north, amidst the perilous rocks and currents of Orkney and Shetland, the Dutch had long enjoyed what they called their "gold-mine"; but the "busses" or deep-sea smacks belonging to Fife ports obtained some share of the spoil; and the herring fishery in less remote and exposed waters employed great numbers of small open craft. In the seventeenth century 600 to 800 boats were at work in the Firth of Forth; almost as many, though of smaller size, in the Moray Firth; and some 900, still smaller, within the mouth of the Clyde. Greenock, where a curing factory was established about 1670, owed its development from "a few huts" to this trade; Glasgow's earliest speculations were made in the purchase of herrings for export; and Walter Gibson, the father of its modern commerce, acquired the nucleus of his fortune by shipping a cargo of 1800 barrels to France. These flourishing conditions were not, however, maintained. The deep-sea fishery of Fife was involved in the havoc wrought by the civil war. The number of small boats, indeed, showed little or no diminution, and before the Union as many as 168 were sent out from a strip of coast not above twelve miles long; but after 1707, when the duties on wine and

[1] Leighton's *History of Fife*, iii. 87, 143; Millar's *Fife, Pictorial and Historical*, ii. 96; Loch, iii. 47.

brandy were much more than doubled, there was more smuggling than fishing. This evil—at all events in the form of running contraband cargoes[1]—was almost unknown on the west coast; but, as fish-curing required about a third of foreign salt, it was universally discouraged by the Union, which had raised the duty on this article from a shilling to ten shillings the bushel. The Trustees for Manufactures established in 1727 endeavoured to counteract such discouragements by offering premiums and prizes; but in 1733 the boat-fishery was said to have greatly declined "these several years"; and before the middle of the century, if not even earlier, busses had entirely disappeared.[2]

These decked vessels, cruising in all weathers over the open sea, were a far higher school of navigation than the shore cobles; and the extinction of an industry so essential to the nation as a maritime Power excited general alarm. In 1750 fish-curing was exempted from the salt duties; bounties were granted of 30s. a ton on every buss and of 2s. 8d. on every exported barrel; and the "Society of Free British Fishery" was incorporated, with the Prince of Wales at its head, and a Government premium of three per cent. on its stock. Edinburgh presented its freedom to six gentlemen, including Hume Campbell, for their services in promoting this scheme; and "fishing chambers," with the same Government premium, were formed at Edinburgh, Montrose and Inverness. Two large busses were immediately fitted out in England for the Shetland fishery; and when a barrel of herrings reached London as a sample of the

[1] There is reason to believe that an evasion of Custom dues contributed to the development of Glasgow's tobacco trade; and at a later time Irish salt was largely smuggled into the Hebrides.

[2] Lindsay's *Interest of Scotland Considered*, pp. 89, 197, 202-205; Denholm's *Glasgow*, p. 402; Bremner's *Industries of Scotland*, p. 515.

cargoes which had been exported to Hamburg, it was compared by a patriotic versifier to the olive leaf which had "proclaim'd the earth not drown'd."[1] As an omen of good fortune, however, these salted herrings proved less reliable than Noah's dove. The incorporated Society, operating from the Thames, persevered for a time in its attempt to wrest from the Dutch their Shetland "gold-mine"; but it soon collapsed, as also did the fishing-chambers; and in Scotland it was only, with one exception, on the west coast, within the vivifying influence of Glasgow, that the inducements offered to private adventurers met with any considerable response. In 1757 the bounty was raised to 50s.; and, ten years later, the number of busses fitted out had increased from two to 263; but in 1770, owing to fluctuations of the fund assigned for payment, it fell to nineteen. In 1771 the bounty, though reduced to its original amount, was guaranteed by being made a general charge on revenue; and the western buss fishery developed rapidly till 1776, when another, but less marked, period of decline set in, owing to the high price of salt, tar, hemp and staves caused by the American war. A barrel of tar, which before the war could be purchased for eight shillings, now cost two guineas.[2]

The herring-bounties, as an investment of public money, were severely criticised by Adam Smith;[3] and

[1] "So these first fish, which from far Shetland came,
Are harbingers of riches, power and fame,
Hint that the Britons, if they'll now be wise,
May soon to all their ancient glory rise."
Scots Magazine, 1750, p. 302. See also pp. 246, 343, 452, 596.

[2] Knox, i. 203, 233.

[3] *Wealth of Nations*, Bk. iv. chap. v. Knox (i. 361) replied to Adam Smith on what would now, I suppose, be called Tariff Reform principles. From Anderson's *Report on the Hebrides*, p. 35, it would appear that Knox was justified in attributing the wastefulness of this system rather to the salt-laws than to the bounty.

their tendency to discourage the coble-fishing—which went "almost entirely to decay"—was confirmed by a law prohibiting the purchase of herrings from the Highland boats. In certain districts, however, the wisdom of these bounties was not likely to be questioned. Stranraer, Greenock, Port-Glasgow, Rothesay, Campbeltown and Stornoway were incited to great efforts. Campbeltown, in particular, where the busses collected for the voyage to Loch Broom, was said to have been "created by the fishing." Between 1750 and 1777 its shipping increased from four vessels to 62; allied industries, such as ship-building, coopering, and net-making, sprang up; and the population was doubled. A visitor to Stornoway in 1778 found that the part of the town "situated on the sea-shore" had all been built—and very well built—within these years. In discussing the economic policy of the herring-bounties, Adam Smith took little account of the fact, which he fully acknowledged in regard to the navigation laws, that their primary object was not wealth but maritime power. Two-thirds of the sailors who manned the shipping of the Clyde had learned their business in the buss-fishery; during the American war Campbeltown alone contributed a thousand men to the navy; and on this basis the total contribution from the west coast of Scotland was estimated at 3500 to 4000. On a single ship of the line a hundred Highland seamen were once counted.[1]

On the east coast the chief result of the bounties, in addition to some activity at Leith and Montrose, was the rise of Wick. The inhabitants of that town had hitherto fished for herring with handlines merely as bait for cod; but in 1767 two busses were fitted out; and henceforth they zealously pursued the shoals of herring, not indeed

[1] Knox, i. 366-369; Loch, vol. ii.

in busses, though many of these frequented the coast, but in open boats. In 1790 the total catch amounted to 13,000 barrels; and then as now it was "an agreeable sight on a fine evening" to trace across the bay the long procession of brown sails. The "herring metropolis" was still, however, very far from having earned its name. It had "hardly any real fishermen," the industry being carried on by shopkeepers and mechanics; its river-mouth, narrow and half-choked with sand, afforded but a precarious shelter; and the creek of Staxigoe, two miles distant, did duty as "a kind of port."[1]

"Since the year 1746," wrote an acute observer in 1778, "a most surprising change has happened in this country. Now we have not the feeble and detached efforts of a few towns, but it is the united force of the whole nation which seems at length to be exerting itself." In order to appreciate this general movement, we must direct our attention to those great branches of industry which were characteristic of the country at large.

The national manufacture of Scotland was linen, that of England wool; but the Scots were not content with their success in one of these commodities, and devoted so much attention to the other that each was claimed by its votaries as the staple product. The legislature showed a similar indecision, and corpses were ordered to be buried, usually in linen, but sometimes in "woollen cloth or stuff." It was long only a coarse kind of serge that could be satisfactorily made, and an Act of 1597, when the wearing of imported material had become universal

[1] *Old Statistical Account*, x. 1; *Ordnance Gazetteer*. Wick was described in 1781 as "a neat royal burgh. The houses that are lately built in it show that it is in a thriving state."—Wight's *Present State of Husbandry*, v. 328.

amongst the upper and middle classes, prohibited "the home-bringing of English cloth" on the very dubious ground that it had "only for the most part an outward show." Shortly before the Union, when native industry was being zealously promoted, several Acts were passed to protect experiments in the manufacture of fine woollen goods; but these barriers were, of course, overthrown in 1707; and the Union, whilst enabling broad-cloth to be imported 10 or 15 per cent. more cheaply than it could be produced at home,[1] opened a large domestic as well as colonial market for linen by removing the restrictions on that product which England, in retaliation for the treatment of her wool, had formerly imposed. Under these favourable conditions the linen manufacture speedily developed; and it was greatly stimulated when foreign and Irish workmen were introduced as teachers by the Board of Trustees, and when in 1742 a bounty was granted on exportation.

In 1727, when the Trustees entered on their duties, linen-making was carried on in twenty-five counties, headed in order of output by Forfar, Fife and Lanark; but in those days of manual labour, when steam-power was unknown and water-power little used, there were no natural limits to its extension; and from Orkney to Wigtown there was only one county—that of Peebles—in which it was never practised.[2] Idleness and poverty were dispelled by the current of enterprise which permeated the country as village after village applied itself to the spinning, and frequently also to the weaving, of yarn. In Barry and Cullen almost every householder was thus employed; the linen of Keith attracted purchasers from all parts of Scotland; and Comrie was one

[1] Lindsay's *Interest of Scotland Considered*, p. 111.
[2] Bremner, p. 224.

of several parishes in which the profits of spinning defrayed great part of the farmers' rents.[1] The Trustees endeavoured, with considerable success, to promote the growing and dressing of flax; but half of the supply, in addition to linseed, potash for bleaching, and hemp, was imported from Holland and Russia. Agriculture and east-coast shipping were thus encouraged; and the increase of shipping reacted on the manufacture by enlarging the demand for sail-cloth and rope.

The growth of this national industry was a principal factor in the local movements whose progress has been sketched. Edinburgh was famous for its damask table-cloths; its linen was highly prized in the colonies,[2] and sold at home for two-thirds more than the ordinary price. Dunfermline acquired a more lasting reputation for damask; Kirkcaldy, when its shipping declined, applied itself to the manufacture of bed-ticks; Wemyss excelled in the use for this purpose of home-grown flax; and in all the Fife ports the spinning-wheel made some amends for vanished commerce and truant herring. In Glasgow linen-making, being an offspring of the colonial trade, was not established till 1725; but it soon dwarfed all other industries, and was prosecuted with great success in a neighbouring town. Paisley, like Glasgow, owed its early development to the Union. Its infant industries were promoted by the opening of a free inland trade; many of the pedlars, who had frequented the town, settled there and disposed of its coarse linen goods to their correspondents in England; and its market was extended to the colonies by way of Glasgow and the Clyde. The looms were soon at work on articles of finer texture; and in 1725 the making of white sewing thread,

[1] Warden's *Linen Trade, Ancient and Modern*, Pt. ii.
[2] *Scots Magazine*, 1750, p. 550.

which has ever since centred in this district, was introduced by a lady who had learned from a relative how it was produced in Holland. About 1760 Paisley attempted to rival Spittalfields in the manufacture of silk-gauze; and the fibre proved to be so finely and curiously wrought that it "outdid everything that had formerly appeared." The manufacturers of Spittalfields were driven from the field; new companies, English as well as Scottish, were formed; the industry diffused itself over an area of twenty miles; and the leading firms opened warehouses in London, Dublin and Paris. As late as 1755 Paisley contained only some 4000 inhabitants; but in 1792 it had a population of 14,000; and much of the town had been built within the previous six years.[1]

In Forfarshire and the adjoining part of Perthshire linen was not merely the principal but almost the sole cause of progress. Dundee before the Great Civil War had been the second largest town in Scotland; but it lost a sixth of its inhabitants and nearly all its wealth when it was stormed by Monck in 1651; the famine of 1696-1703 still further reduced it; and one of the last Acts of the Scottish Parliament was to afford some relief to this unfortunate town in consideration of its sufferings and "decay of trade." The Union was no less prejudicial to Dundee than to other eastern ports; and till 1746 the population continued to decrease. Meanwhile, however, the townspeople had begun to make coloured thread, and were extending their manufacture of coarse linen and hempen fabrics, such as clothing for the slaves in America and the West Indies, canvas of all kinds, sheeting, buckram and sacking. Their ship-canvas was soon reputed the best in Britain; and, favoured by the bounty of 1742, they acquired a large export trade. In

[1] *Old Statistical Account*, vii. 63; Loch, i. 234.

1746 £2 or £3 was the highest rent that could be obtained for a shop; but two shops, which in that year had been shut up for want of tenants, were sold in 1789 for £450 each. During the nine years, 1746-1755, the population increased from 5000 to 12,000; in 1792 it was over 20,000; and 4000 persons were living on a piece of ground which in 1772 comprised only five or six houses.[1]

Dundee was the headquarters of an industry which occupied all the neighbouring towns and villages—Forfar, Blairgowrie, Kirriemuir, Montrose, Arbroath and Brechin. Pennant in 1772 found that the manufactures of Montrose had all arisen within the last thirty years, and that the town in that period had "increased one-third."[2] Perth in this district was the principal, if not the only, town which excelled in the manufacture of fine linen goods. It was famous for its printed handkerchiefs as it had long been famous for its gloves; dyeing had already begun; and there were four large bleaching-fields, to which linen was sent from all quarters—even from England. By 1796 the town had been much enlarged, and the population, which was about 9000 in 1755, had more than doubled.[3]

The Scots had foreseen that the finer branches of their woollen industry would not survive the Union, and, by way of compensation, had stipulated that their manufacture of coarse wool should be subsidised for seven years to the amount of £2000. The total grant of £14,000 was not, however, turned to account till the Board of Trustees was instituted, twenty years later, and it was then invested in order to provide a permanent

[1] *Old Statistical Account*, viii. 209; Warden, p. 378; Boase's *History of Banking in Dundee*, p. 31.

[2] Pinkerton's *Voyages*, iii. 426. [3] *Old Statistical Account*, xviii. 489.

fund; but the linen trade received, as we have seen, so much natural as well as artificial encouragement that its rival had little room to develop; agricultural improvement tended more and more to substitute tillage for pasture; and between 1740 and 1780 the number of sheep in the Lothians is said to have decreased in the proportion of twenty to one. Before the end of that period, however, the more favoured of the two staples had lost something of its lead; for the American war had greatly reduced the demand for linen, and the West Indian planters, having discovered the wholesomeness of woollen shirts, had adopted them as clothing for their slaves. In response to such encouragement, and quickened by patriotic motives, the wool trade began to revive. Sheep supplanted black cattle on the grazing grounds in the Highlands; rams for breeding purposes were hired from England; and pamphlets were written to prove that the linen industry was an exotic, which had been unduly fostered in deference to English interests, since three-fourths of its materials were of foreign growth.[1] An association was formed at Hamilton to discountenance the wearing of any but Scottish broadcloth; in East Lothian landlords and farmers started a company to carry on the manufacture; and the spirit of the movement was forcibly expressed by David Loch, its most enthusiastic promoter: "Let us, I say, from the shoes on our feet to the hats on our heads be clothed in the manufactures of our own country."[2] Zeal rather than method was, however, the characteristic of this attempt in the opinion of a competent critic, who pointed out that no officials had been appointed to sort the seven

[1] *Eight Sets of Queries upon the Subject of the Woollen Manufacture*, 1775, p. 3.

[2] Loch, i. 197.

different qualities of wool which were to be found in the fleeces of a single flock, and that no artisans had been brought from England to give instruction in spinning and weaving. "What then have we done," he asked, "for the proper establishment of the woollen manufacture? Nothing. We are blundering into it as fast as we can, and blasting it at its first outset."[1]

The production of woollen goods, such as wearing apparel, blankets and carpets, was distributed geographically very much as it is to-day; but later developments were anticipated in outline rather than in detail. Stirling, Alloa and Kilmarnock were then as now important centres, but so also were Edinburgh and Haddington, whose efforts in this branch have long been extinct; no Bannockburn had yet arisen in the vicinity of Stirling; and the industry barely existed, where it is now so firmly established, on the banks of the Devon, Tweed and Gala. Tillicoultry had manufactured wool since the reign of Queen Mary, but in 1795 there were only twenty-one weavers in the parish; and Alva, which had superseded it in the making of "Tillicoultry serge," made no advance in population between 1767 and 1796. Not till 1787 was the cloth manufacture introduced at Hawick, and not till 1790—and then very feebly—at Innerleithen. Galashiels, indeed, was sufficiently skilful in weaving to obtain almost all the premiums offered by the Trustees; but it rather dwindled than developed. In 1770 it had "only one slated house besides the manse";[2] and as late as 1791 it contained less than a thousand inhabitants.[3] A writer of 1785, in describing this district, said: "Some feeble attempts have lately

[1] Gibson's *History of Glasgow*, p. 251-2.
[2] Somerville's *Life and Times*, p. 133.
[3] Bremner, p. 145; *Old Statistical Account.*

been made towards the manufacture of their wool"—attempts so feeble that "in several parts" the wool was despatched to Yorkshire to be combed, sent back to be spun into yarn, sent again to Yorkshire to be woven and dressed, and finally, in great part, returned to be sold as cloth.[1]

Wool was an important factor in the development of Aberdeen, "a city of great trade," whose inhabitants, according to David Loch, were "the best merchants in Scotland." Their principal manufacture—for which they imported wool from the south of England[2]—was that of stockings; but they spun large quantities of linen yarn; produced more thread, chiefly of the coarser kind, than any other town; excelled in salmon-curing, brewing, tanning, and sugar-refining; and had applied themselves with great vigour to the improvement of their harbour and their soil. Aberdeen had long been as much "tantalised" by the Dee as was Glasgow by the Clyde. Extending across the mouth was a bar of sand, which shifted so much under the influence of sea-storms and river-floods that "a stranger could never depend upon finding it as he left it."[3] Under the direction of Smeaton, between 1775 and 1780, a high and massive pier was built along, and for some distance beyond, the north bank of the Dee. By this means the channel was contracted and deepened, and the sandbank, owing to the pressure of an increased current, was carried considerably further out. A barren and stony moor

[1] Knox's *British Empire*, ii. 527; *Eight Sets of Queries*. Kelso and Lauder employed the same circuitous method in the linen trade.—Loch, ii. 92.

[2] "The native breed of sheep is diminutive, and no wonder; for the custom is to tether them; and yet I could observe no grass till I alighted and put on my spectacles."—Wight's *Present State of Husbandry*, iv. 707.

[3] Gordon's *General Description of the East Coast*, 1782, p. 151.

encircling the city, "close to the very houses," seemed to afford little scope for tillage; but these unpromising environs were speedily cleared and reclaimed; and in 1783, within a radius of three or four miles, they produced as good crops as any district in Britain. "There is perhaps no place in the world," wrote the author of a report to the Board of Agriculture in that year, "where a spirit for husbandry has made such a figure as about Aberdeen." In the latter half of the century the population of the city and suburbs increased from 15,000 to 24,000.[1]

The cotton manufacture had existed in England from the reign of Charles I., if not from that of Elizabeth; but it made little progress till after 1750, when a change of taste and fashion increased the demand, and the production was immensely facilitated by a series of mechanical inventions associated with the names of Hargreaves, Arkwright and Crompton. Glasgow had anticipated Manchester in the making of calico, and was only one year behind it in the making of muslin; but the manufacture of cotton in Scotland seems not to have been dissociated from that of linen[2] till a cotton mill was erected by an English firm at Rothesay in 1778. It was soon acquired by David Dale, a native of Glasgow, and, having entered into partnership with Arkwright and thus acquired the use of his patent for roller-spinning, he built the first of several mills at Lanark in 1785. The industry was introduced at a time when the Clyde district was suffering from the losses occasioned by the American War, and was prosecuted with such vigour that in 1790 it had almost superseded the manu-

[1] *Old Statistical Account*, xix. 153; Wight, iv. 385; Newte's *Tour*, 1791, p. 195.

[2] See p. 253, note 2.

facture of linen, and in Paisley even that of silk gauze. Two Scotsmen succeeded in giving a much wider scope to the machinery which Englishmen had invented. At Lanark Mills in 1790 William Kelly applied water-power in place of manual labour to turn Crompton's mule; and in 1792 the steam engine of James Watt, which had already been utilised for this purpose in England, was adopted in Glasgow. Domestic industry could not long survive the concentration of effort resulting from the use of water-power and steam; but the factory system was not carried very far within the period of this book. It was practically confined to the cotton manufacture, and even here was retarded by the fact that weaving had made little progress in comparison with spinning. The power-loom had been invented by Cartwright as early as 1785, but was of no great use till improved about 1803 by Radcliffe and Horrocks. In 1787 a machine for spinning flax was patented by Kendrew and Porthouse of Durham, and, in concert with the inventors, several flax-mills were erected in Scotland—the first at Bervie in that year; but these mills were small and unfortunate, and till 1810 the "flax-spinning machinery continued rude and imperfect." Hawick, which was to supplant Aberdeen as the centre of the hosiery trade, had adopted the stocking-frame as early as 1771; and at Galashiels in 1790 a carding machine was set up in the first modern woollen factory to be erected in Scotland.[1]

Cotton seemed likely at one time to enrich the south as well as the west. Below a line drawn from Berwick to Ayr, the country had suffered even more severely than Fife from the Union; and at this time it presented

[1] Baine's *History of the Cotton Manufacture, passim*; Warden's *Linen Trade*, p. 690; Bremner, pp. 177-190.

"a melancholy picture of decayed boroughs, neglected seats and a dejected commonalty." During the seventeenth century when Scotland and England had one sovereign, but in other respects were independent kingdoms, the Border towns and villages had enjoyed a large illicit trade. Salt, skins, linen and malt were smuggled into England, and wool and broad-cloth were smuggled out of it—the former to be exported at Leith. After 1707 this source of profit disappeared, and the Scottish Border was depopulated by a stream of emigration to the wealthier side. Adam Smith, conversing with Samuel Rogers in 1789, remarked "that the Scotch on the borders were to this day in extreme poverty." Jedburgh, one of "the places called towns," was in 1784 "half in ruins"; its population had dwindled from 6000 or 8000 before the Union to less than 2000; and only three malt barns and kilns were in use amidst the vestiges of forty. In Whithorn, another royal burgh, some of the houses were ruinous, "others open at the roof, and the streets partly overgrown with grass." On the Solway coast as in Fife the Union had fostered smuggling; and this practice was far more fatal to industry under a system of open competition than in the days of hostile tariffs. In the town of Kirkcudbright the loss of a considerable inland and maritime trade was attributed solely to this cause. Knox, who visited the district about 1783, "lost all patience" when he was told in place after place that there was no shipping, no fishing, no manufactures. "Unhappy beings! How, in the name of wonder, do you get a subsistence? 'We do a little,' answered they, 'in the spirit way; we smuggle a little.'"[1]

[1] Knox, i. 86; ii. 526, 535, 538; *Old Statistical Account*; Newte's *Tour*, 1791, p. 397; Clayden's *Early Life of Samuel Rogers*, p. 93.

It was on the shores of this beautiful but desolate firth that the cotton industry unexpectedly took root. On the banks of the River Fleet about 1764 Mr. Murray of Broughton designed what we should now call a model village; and, as the first dwelling to be erected was an inn, "not only commodious but elegant," at the entrance of the avenue to Cally House, it was appropriately termed Gatehouse-of-Fleet. The liberal terms offered to builders and the occupation to be found in a tannery attracted the better-class peasants, but as late as the time of Knox's tour it was too sweepingly described by that writer as "without trade of any kind." A few years later, the cotton manufacture was introduced, and in 1794 it contained more than 160 houses and 1150 inhabitants. There were four mills for spinning cotton yarn, in addition to fifty machines worked by private hands, and a factory for the weaving of muslin. The villagers made "a grand effort" to obtain a share of maritime trade by deepening their river, and "seemed for a time to menace the Glasgow of the West with the energetic rivalry of a Glasgow of the South." Several coasting vessels belonged to the port, and one traded regularly to London. An enthusiasm for the new industry diffused itself throughout the district, and at Annan, Newton Stewart, Kirkcudbright and Stranraer cotton mills were built. It need hardly be said, however, that all these Solway factories have long since crumbled into ruin. Gatehouse after 1815 ceased to develop, and, though still "one of the handsomest towns in Galloway, equalled indeed by very few in Scotland," its population during the last half-century has steadily declined. Stranraer alone, which owed its progress rather to the buss-fishery than to cotton, was to achieve a permanent success. Between 1764 and 1805 its

shipping increased from two small vessels to over 1600 tons.[1]

The growth of credit, and particularly its growth in a form unusually favourable to the small capitalist, was a factor of no small importance in the development of trade. The Bank of Scotland had been founded in 1695, a year memorable as the starting point of the Darien scheme, and, despite the imputation of Jacobitism, it flourished greatly for over thirty years. In 1727, when financiers of less questionable loyalty were incorporated under Government patronage, the dividend paid to its shareholders fell from 32½ to 13⅓ per cent., and next year to 3¾ per cent.; and the Royal Bank, an offspring of the Union, stole a march on its rival by initiating a system so helpful to impecunious talent as that of cash credits—the system by which a customer is credited with a certain sum over and above what he has paid into his account on the security of a bond signed by himself and several friends. The two corporations plunged at once into a deadly feud; and the Bank of Scotland, in order to strengthen its reserves against the activity of the Royal Bank in buying up and returning its notes, resorted to the expedient of issuing £5 notes payable at its own option either on demand or at a premium of half-a-crown, six months later. This device, legitimate enough for its immediate purpose, had unfortunate results, since it facilitated the issue of notes, frequently for trifling sums, by companies and even persons of insufficient means. The usual practice of these so-called bankers, when pressed for payment, was to offer bills drawn at long notice on their London correspondents. One Englishman, who refused this

[1] *Ordnance Gazetteer*; Heron's *Journey*, 1793, pp. 191, 214; Knox, ii. 538; Macpherson's *Gazetteer*.

accommodation, received £50 or £60, "all in silver to plague him"; and another, even less fortunate, is said to have been saddled with £200 in shillings and sixpences.[1] Coin was soon almost supplanted by paper—some of it representing only one penny sterling; and these abuses were not checked till Parliament in 1765 prohibited the "optional clause" and the issue of notes below the value of £1.

Meanwhile a number of private banks had been established—one in Dundee, the chief partner of which was George Dempster, one in Ayr, three in Glasgow, and some twenty in Edinburgh; and in 1769 a great impetus was given to speculative finance by the rise of Douglas, Heron & Co., a powerful syndicate which acquired the small business already established in Ayr, and called itself the Ayr Bank. The object of this new venture, which did something to arouse the stagnant south-west, was to develop the system of London credit, which, in the opinion of wiser heads, had already been carried too far; and, when the Ayr Bank suspended payment in 1772, all but three of the Edinburgh private banks were involved in its fall. The crisis, however, was less harmful than severe. In Edinburgh and the country, banks of a sounder type were established; the Bank of Scotland and the Royal Bank opened branches; and by 1794 the capital of both had been increased, largely out of profits, to £1,000,000.[2]

In the first half of the eighteenth century the type of agriculture which was all but universal in Scotland was still that of the township farm. The infield or home land was cultivated in alternate "rigs" or ridges, of which there might be seven or eight in a small field,

[1] Boase's *Century of Banking in Dundee*, p. 47.
[2] Kerr's *History of Scottish Banking*.

by several tenants; and, though each of these had his own share of the live-stock, the outfield, which consisted mainly of natural grass, was common to all. The evils of such a system hardly needed to be proved. The common right of grazing made it impossible to reclaim any portion of the waste; and a tenant, if the meagre pasture was over-stocked, could have no interest in reducing the number of his beasts, since his neighbours in all probability would increase theirs, or in trying to establish a better breed, since all the animals were herded and folded together. The ridges changed hands too frequently to permit of their soil being improved; and, as the arable land after harvest was added as common pasture to the waste, no ground could be enclosed for the making or storing of hay.[1] The tenants were nominally individual farmers; but even in matters of ordinary routine little or nothing could be done without mutual consent. The plough of these days was a huge unwieldy instrument requiring the co-operation of several men and horses and of four to six oxen; and the cattle were usually so weak after their winter fare of straw and boiled chaff that the owner had to obtain the assistance of his neighbours in "lifting" them on to the grass.[2] The general aspect of the country must have been cheerless and uncouth. "The land," wrote an eye-witness, "is like a piece of striped cloth, with banks full of weeds and ridges of corn, in constant succession, from one end of a field to another."[3] Even in fertile districts, such as the Carse of Stirling, the soil was defaced by stones, stagnant pools and bogs; and,

[1] The late Duke of Argyll's *Scotland As It Was and As It Is*, ii. 194.

[2] Graham's *Social Life of Scotland in the 18th Century*, edition 1901, pp. 155, 156.

[3] *Agriculture of Perthshire*, p. 393.

except in pleasure grounds and orchards, there were not only no fences but no trees.

It was not till about 1760, a year which marks an epoch in English[1] as well as in Scottish farming, that "run-rig" cultivation fell into disuse; but the movement, which then began, may be traced, half a century before, back, to the Union. One result of that measure was that Galloway took to rearing cattle for the English market; pasture was extended at the expense of tillage; and men of intelligence were roused to effort when they found that their half-starved beasts were bought at a low price and then fattened in England for sale. Cattle, better fed, were imported from Ireland; and, in order to remedy the depreciation of stock caused by constant herding,[2] mixture of breeds and the want of hay, they proceeded to "park" or enclose their lands. Many families were evicted in the course of this change; farmers were deprived of their outfields, and herdsmen were dismissed. In 1724 men disguised as women rose against the "parks and depopulating enclosures"; and, despite military intervention, many of the dykes were thrown down.[3] The South Sea Bubble had recently given an impetus to rural progress, for landowners who had embarked in that venture sought to recover their losses by improving their estates; in 1723 an agricultural society was formed; and from this date we can trace here and there, but chiefly in East Lothian, the introduction of improvements which in later days were to be universally adopted, such as enclosing, fallowing, and the culture of turnips and clover. The

[1] Toynbee's *Industrial Revolution*, p. 45.

[2] Cattle in the open could not "graze freely without being teased by dogs and herds."—*Agriculture of Argyllshire.*

[3] Adv. Lib. Pamphlets, 8.

movement thus initiated was quickened by the suppression in 1746 of the last Jacobite revolt. Scotsmen resorted more and more to England, where the principles of farming were better understood; the Crown turned to good account its possession of the forfeited estates; and a large sum of money was distributed amongst landowners in purchase of the heritable jurisdictions. About the same time, owing to the ravages of war in the Highlands and of cattle-disease in England, Lowland graziers began to make higher profits; and in 1760 the price of their stock in the English market had nearly doubled. Hence a fresh impetus to "the new husbandry," far more widely diffused than that which had set in after the Union. Green crops for the summer and winter food of cattle had, as we have seen, been tried; but clover could not contend with weeds; and it was only after this period that the culture of turnips, which cleansed the soil much more effectually than fallowing,[1] gradually became common. As late as 1773 turnips were served on Edinburgh dinner-tables as part of the dessert.[2]

Agriculture, which had been the most backward of Scottish industries, was now caught up into the general advance; and its progress was promoted by men who had made fortunes in private business or in the service of the East India Company. Dr. Somerville, writing in 1813 at the age of seventy-two, remarked that in Roxburghshire within his recollection no fewer than eight considerable estates had been purchased by Anglo-Indians, and that at least two-thirds of the landed property had been "transferred by sale to new pro-

[1] Maxwell's *Practical Husbandman*, 1751, p. 342.

[2] Argyll's *Scotland*, ii. 199; Ramsay's *Scotland and Scotsmen*, ii. 222; *Scotland and the Union*, p. 351; Graham's *Social Life*, p. 172.

prietors."[1] It cannot, however, be said that the old aristocracy were at all reluctant to embark in agricultural reform. The township farm, when its group of holdings became vacant, was let in most cases to a single tenant, who not only obtained a long lease, usually for nineteen years,[2] but was bound by its provisions to adopt certain methods, such as fencing, manuring, the sowing of grasses, and the rotation of crops. The cluster of thatched cottages, "generally of only one storey and often not floored,"[3] was replaced by a substantial farm-house and steading; and in the southern parts of Perthshire—a district by no means the most advanced—the change which had taken place by 1793 in domestic comfort is thus graphically described: "About half a century ago the farmer went on foot to market; now he rides, properly accoutred in all points; formerly he ate his food off his knee, and it consisted of meal, vegetables and milk; now his table is covered, his knife and fork are laid down before him to dine on meat; his father lay in a straw or chaff bed without curtains; he sleeps on feathers with his curtains drawn around him. Servants and labourers have advanced in the same proportion in their desire and enjoyment of the comforts of life."[4] Rents rose enormously, but so also, owing to better methods and better tools of husbandry, did the

[1] *Life and Times*, p. 360.

[2] At a time when landlords were on the whole more enterprising than their tenants, it was not advisable to grant a very long lease. In Inverness-shire a certain General Fraser granted one—which was upheld on appeal to the House of Lords—for 1300 years.—Wight, v. 213. It was computed in 1794 that four-fifths of England and Wales were farmed by tenants, and that of these much less than one-fifth were tenants for a term of years, the remainder being either tenants-at-will or—"what is almost as unfortunate"—for life.—*Report on Size of Farms*, p. 92.

[3] Somerville, p. 393.

[4] *Agricultural Reports*, 1794.

farmer's profits. The mediæval plough, with its huge wooden framework and procession of oxen and horses, gave place to the modern implement drawn by a single team; fanners, barley-mills and, after 1786, thrashing mills were successively introduced; and, as roads were made and improved, the farm produce was conveyed no longer on pack-horses or in sledges, but in carts.

The progress which had been made by the commerce and the manufactures of Scotland during this period must be ascribed mainly to the prompting of an enlightened self-interest; but agriculture was controlled by the leisured class; and the story of its development, though associated with a rise in rent, is ennobled by the names of several men who spared no effort, and even no expense, to promote the welfare of their tenants. Such a man, as we have seen, was George Dempster; and such another, at a time when model landlords were much less common, was John Cockburn. His father, the laird of Ormiston in East Lothian, had been the first proprietor to grant leases for more than five years; and he himself, on succeeding to the estate about 1714, improved on this example by granting a lease, not for nineteen years, the period ultimately established, but for thirty-eight. The holder of such a lease could count on securing the benefit of improvements if he chose to make them; and Cockburn was anxious that he should have both desire and knowledge. Skilled labourers were brought from England; some of the tenants, in the interest of their education, were sent thither; fields were enclosed and fallowed; and the sowing of turnips in drills was practised on this estate half a century before it became general in Scotland, or even in Britain. The village of Ormiston rose from squalor to neatness and comfort; farmers were encouraged by the opening of

a brewery; with the assistance of workmen from Ireland and Holland a bleachfield for linen—the second of its kind in Scotland—was established; and the Irish immigrants are said to have introduced potatoes—at least, as a field crop. "No person," wrote Cockburn to one of his tenants, "can have more satisfaction in the prosperity of his children than I have in the welfare of persons situated on my estate. I hate tyranny in every shape, and shall always show greater pleasure in seeing my tenants making something under me they can call their own than in getting a little more money myself by squeezing a hundred poor families till their necessities make them my slaves."[1]

Cockburn died in 1758; and, two years later, a reformation, not unlike that which he had effected in East Lothian, was begun in Kincardineshire. That county was one of the least progressive; and, when Barclay, who had studied agriculture in Norfolk, succeeded to the estate of Ury, near Stonehaven, he found his fields stony, undrained, unlimed, and only very partially tilled, "scarcely a shrub of any value on the property," no fences, no roads, no good implements, no carts. In thirty years the exertions of this spirited landowner had wrought a surprising change. The whole estate had been enclosed with hedges; nearly a thousand acres had been planted with wood;[2] stones had been used "in myriads" in making roads and drains; and 900 acres had been brought into a high state of cultivation, of which half had not hitherto been tilled.[3] "Mr. Barclay of Ury," wrote the surveyor of the Board

[1] Chambers' *Scottish Biographical Dictionary*, i. 544.

[2] Sir Archibald Grant of Monymusk in Aberdeenshire, "the greatest planter of his time," is said to have forested more than 3000 acres.—Wight, iii. 697.

[3] *Agriculture of Kincardineshire*, p. 323.

of Agriculture in 1782, "is the most intelligent farmer I have ever conversed with"; and we are told that he was known amongst his neighbours as "the father of farming."[1] In another quarter of Kincardineshire philanthropic, though not exclusively agrarian, schemes were being carried out by Lord Gardenstone, a Lord of Session, who erected the Grecian temple over St. Bernard's Well at Edinburgh, and was the only member of the court to incur suspicion as a sympathiser with the French Revolution.[2] Lord Gardenstone attempted to do for Laurencekirk what Murray of Broughton was doing for Gatehouse. By offering building sites and small holdings on very moderate terms he enabled many families to settle there in independence and comfort, and the number of inhabitants rose during his lifetime from 54 to 500.[3] He put himself to great expense in establishing a printfield and the manufacture of linen and stockings, and not only erected, like Mr. Murray, "a commodious inn," but placed in it "a very neat assortment of amusing books which every traveller has access to."[4] Towards the end of his life he wrote thus to his humble friends in Laurencekirk: "I have tried in some measure a variety of the pleasures which mankind pursue, but never relished anything so much as the pleasure arising from the progress of my village."[5]

[1] Wight, ii. 11.

[2] This incident in Lord Gardenstone's career has not found its way into any of the biographical notices; but from MS. in the British Museum it appears that in 1793 he was suspected, if not apprehended, as author of a seditious pamphlet. He died in July of that year.

[3] The statement in the *Dictionary of National Biography*—"500 houses with a population of 12,000"—is a flagrant error, not mentioned in the list of *errata*.

[4] "Go through Britain, you will not find another instance of that kind."—Wight, ii. 2.

[5] Chambers' *Scottish Biographical Dictionary*, ii. 398.

The wealthier lairds had formerly devoted two years of their education to foreign travel; but we are told that they now remained at home "cultivating their fields and could talk of nothing but of dung and bullocks."[1] In the latter half of the century, indeed, agricultural reform found so many exponents amongst landholders of every grade—nobles such as the Duke of Buccleuch, lairds such as Callendar of Craigforth, who dressed like a farm servant and "ate his victuals in the open air amongst his labourers,"[2] physicians such as Dr. Moir of Leckie, who banished malaria from his estate by draining its soil, clergymen such as Alexander Carlyle and "Potato Wilkie," author of the *Epigoniad*—that it must suffice to direct attention to one more name. Lord Kames, who spent the leisure of his long life in stimulating both letters and agriculture,[3] had done much to improve the estate, from which he took his judicial title, in Berwickshire; but a wider field of usefulness was opened to him when in 1766 he inherited through his wife the lands of Blair-Drummond between the Forth and the Teith. Sparing neither promises nor threats, he induced the farmers of that district to reform their methods; and, in order to afford them easier access to lime, which was their most valuable manure, he built, largely at his own expense, a bridge over the Forth, and so improved the roads that sledges were soon superseded by carts. Every labourer on the home farm had his cow and his plot of potatoes, and was liberally encouraged to supplement his income by growing and dressing flax. The soil was extremely fertile, but much of it, amounting to 1500

[1] Carlyle, p. 459. [2] Ramsay, ii. 239.

[3] Adam Smith, then in the height of his literary reputation, said in reference to a remark on the great number of eminent writers which Scotland had of late years produced, "We must everyone of us acknowledge Kames for our master."—Tytler's *Kames*, 1807, i. 160.

acres, was buried, eight or nine feet deep, under a layer of moss. Lord Kames proposed to drain off this obstruction by means of channels cut to the Forth. He allowed every squatter or moss-tenant to occupy rent-free for nineteen years as much land as he could hope to reclaim in that period; and at his death in 1782 a third of the swamp had been cleared and brought under tillage.[1]

There were, of course, many bad landlords, and those of them who were bad enough to be oppressive could indulge their humour without violating the law. Feudalism as a social institution was by no means extinct. The military tenure known as ward-holding had been abolished after the rising of 1745; but the contributions in kind and the agricultural services incident to feu-holding remained intact; and in certain districts superiors showed no disposition to follow the lead of Dempster in renouncing these vexatious dues. Many a farmer, both industrious and skilful, must have found it no easy task to secure the fruits of his toil. When he had sown his seed, it was liable to be devoured by the large stock of poultry which he had to keep in order to supply the mansion-house with its tribute of fowls and eggs; a cloud of pigeons, issuing from the seignorial dovecot, preyed upon his ripening corn; in spring, if his farm was near a town, he was harassed by huntsmen, and in autumn by both huntsmen and shooters,[2] who trampled his crops, damaged his fences and gates, and frightened his cattle; and on the few good days of a wet or inclement harvest he might be called away with his servants and horses to work for the laird. In a report of 1784 on the agriculture of Aberdeenshire it is stated that a landlord usually kept in his possession a large farm, which was cultivated entirely by the free labour

[1] Wight, i. 377. [2] *Midlothian*, 1793; *Dumfriesshire*, 1794.

of his tenants; that these calls must be obeyed "though the tenants' own crop should be destroyed in the meantime by shaking winds or rotting rains"; and that the people were so demoralised by these exactions "that they have not spirit to work for themselves."[1] Ten years later, "boon-work" was described as a great obstacle to progress in Dumfriesshire; and as late as 1813 it was still a serious, though diminishing, evil in the county of Inverness.

Grievous as were the obligations of personal service, it was only in the more backward districts of the north and south that they were at all strictly enforced; but there was one obstacle to the progress of farming which elicited vehement complaints from almost every shire, and was described in 1794 by an indignant argriculturist as "the greatest that ever existed in a free country."[2] This was thirlage. At a time when hand-querns were the common instrument for grinding corn,[3] it had been usual for a man who proposed to utilise water for this purpose to obtain a promise from his neighbours that they would send their corn to his mill in preference to any other that might subsequently be erected, and grant him, in payment of his outlay and profit, a proportion of their produce. The "multures" charged before 1760 are said to have been reasonable; but they had risen with the development of agriculture, and in several parts of the country had been almost quadrupled, amounting, after the deduction of seed-corn and horse-corn to one eighth of the crop. The effect of so heavy a burden on the arable value of land was either to render

[1] Wight, iv. 53. See also Hugh Miller's *Tales and Sketches*, p. 302.

[2] Bryce Johnston's *Dumfriesshire*, p. 93.

[3] In 1897 a livelihood could still be made in the north of Scotland by the making and selling of hand-querns.—Colville's *By-ways of History*, p. 13.

pasture more profitable than tillage or to discourage any attempt at increase of yield; but the mischief wrought by thirlage was not confined to this direct tax. It frequently happened that a mill had been erected much nearer to the farmer than that to which he was thirled, and that this mill had water, whilst the other had none; but, if he had his corn ground at the nearer mill, he had to pay double dues, whilst, if he sold it unground, he might be called away, perhaps in the middle of harvest, to settle accounts with the miller at a multure court. Mills protected by thirlage were usually of a less modern type and more carelessly maintained and worked than those exposed to competition; and the farmers who used them had to assist in their repair. A proprietor had little interest in perpetuating this system where it was confined to his own estate, for, though the miller paid heavily for his privileges, the farmers, when relieved of this burden, could afford to pay higher rents; but in very many cases the mill belonged to one proprietor and the thirled lands to another; and here there was no remedy till an Act was passed in 1799 which enabled the victims of thirlage to obtain its commutation for an annual payment in grain.[1]

Writers who commented on the evil of these artificial restrictions frequently included in their complaints a change of custom. The common drink of Scotland had long been a species of beer which, when not brewed at home, was sold at twopence the pint, and hence was known as "tipenny ale." At what rate this beverage should be assessed was one of the points most difficult to adjust in the Treaty of 1707; six years later, a proposal to levy the full English malt duty was met in the

[1] A very full account of thirlage is given in *Dumfriesshire*, 1794. See also *Dumbartonshire* of that year and *Aberdeenshire*, 1795.

House of Lords by a motion to repeal the Union; and in 1725, when half of this duty was imposed, there was a serious riot in Glasgow and a strike of brewers in Edinburgh. The Highlander, however, had a drink less profitable to the revenue in his native whisky; and usquebagh, as it was then called, came into general use in the Lowlands about the year 1790, when so heavy a tax was imposed on malt that ale ceased to be brewed in all but the richer households, whilst as an article of sale it became both weaker and dearer. Cheap and bad whisky naturally proved far more injurious to the working classes than cheap and good ale. "These spirits, hot, fiery, new from the still in a poisonous state, are used by them to great excess, intoxication and the destruction of everything valuable; many have been killed by them in the very act of drinking, almost as quickly as they would have been by a dose of arsenic."[1] Between 1708 and 1784 the amount of whisky on which excise was levied rose from 51,000 to 268,000 gallons, whilst during the same period the amount of ale fell from 288,000 to 97,000 barrels. The price of whisky, still low in 1780, had been doubled in 1796; and a great impetus was thus given to smuggling and illicit distillation.[2]

An improvement in the means of communication was both a cause and an effect of agricultural progress. Under an Act of 1617, renewed in 1661, the making and repairing of highways was one of the duties assigned to Justices of the Peace; and in 1669 they were empowered for this purpose to exact six days' work in the year from all tenants and farm-servants. Little could be expected from compulsory and untrained labour employed for so short a period; and the roads continued

[1] *Dumfriesshire*, 1794, p. 107. [2] Cramond's *Scots Drink*.

as a rule to be mere tracks, available only for sledge traffic, till about 1760, when it became not uncommon for a county to obtain an Act of Parliament authorising its Commissioners of Supply to commute personal service for money. This expedient, wherever it was adopted, produced excellent results; and as early as 1776 it was stated, as the outcome of an exhaustive survey, that travelling had become "incredibly easy, expeditious and commodious, and such a spirit of improvement prevails throughout Scotland that we may venture to say, a few years will complete all the public roads."[1] The construction of new lines of road, broader and less precipitous than the old horse-tracks, was, however, beyond the funds to be obtained in lieu of statute labour; and this difficulty was not overcome till Road-Trusts were formed for the purpose of borrowing money on the security of tolls. The first Turnpike Act—restricted to Midlothian—was passed as early as 1713; but it was not till the last quarter of the century that any great extension of this system took place.[2]

Enormously as rural Scotland had developed during this period, its soil and its population were alike too varied to permit of any uniform advance; and even in districts contiguous to Edinburgh and Glasgow the old methods of husbandry were not easily displaced. It was remarked of Midlothian in 1793 that it was "only within these few years" that the fencing of fields as well as of farms had become general; and, five years later, the mediæval plough was still the most used in Clydesdale. In 1800 only a third part of Fifeshire was completely

[1] Taylor and Skinner's *Survey of Roads.*

[2] *Report of Royal Commission on Scottish Roads*, 1859; Inglis' *Contour Road Book.* We have seen that the riotous spirit of 1792 had been directed in some places against toll-bars.

enclosed; and so late as 1812 the town lands of Renfrew were occupied by run-rig tenants. When such blemishes existed in the south, it may be imagined what difficulties had still to be overcome in the north and north-west. On the level tract extending round the coast from Fraserburgh to Thurso there were many fine examples of scientific tillage; but these were confined almost entirely to the farms managed by proprietors and large tenants; and in Banffshire, the most advanced county, the great majority of farm houses were described in 1812 as one-storeyed dwellings of only three rooms. Still more marked was this contrast in the Highlands, where poverty and ignorance all but engulfed the isolated instances of wealth and skill. We have seen how thriving was southern Perthshire in 1793; but the surveyor of the Board of Agriculture drew a melancholy picture of the central and northern districts of that county when he visited them—after, it is true, an unusually severe winter—in May of that year. Except for a few enclosed fields of clover, there was not "the faintest appearance of greenness." A waste of barren and stony pasture, "gnawed to the quick" and strewn with dead and rotting sheep and prostrate cattle, extended on all hands; and the less exhausted of these animals were running after the plough in quest of "the roots of weeds turned up." The surveyor returned in July, and then indeed there was no lack of verdure, for "oats universally were hid under a canopy of weeds." The reports made on both visits were applicable, we are informed, "to nine-tenths of the tenanted lands."[1]

Throughout the Highlands, where only the better-class farmers had leases, the same wretchedness prevailed. In Argyllshire in 1798 run-rig cultivation was only

[1] *Agriculture of Central Highlands*, p. 37.

beginning to go out of fashion; in 1807 it was still universal in Arran; and the farm-houses of Inverness-shire were described in 1812—with the usual exceptions—as no better than Red Indian wigwams. It was, however, in the Hebrides that ignorance and squalor reached their nadir. The islands of Islay, Bute, Gigha and Colonsay had, indeed, adopted the new husbandry, and enclosures had begun in Skye; but the following description, published in 1811, will suffice to show how primitive were the methods of agriculture as "generally practised" in this region: "A man walking backward with his face towards four horses abreast, brandishing his cudgel in their noses and eyes to make them advance to their enemy; followed by a ristle plough employing a horse and two men—the three commonly altogether superfluous; still followed by four horses dragging clumsy harrows fixed by hair ropes to their tails and almost bursting their spinal marrow at every tug and writhing of their tortured carcases; all this cavalcade on ground unenclosed, undrained, and yielding on an average three returns for the seed sown."[1]

Highland farmers had of course little scope for tillage, and the turn taken by industrial enterprise tended to reduce even that. Their principal occupation had long been the rearing of black cattle; and, like the graziers of Galloway, who, however, had the advantage in local position and skill, they were encouraged by the opening of an English market at the Union. We have seen that the cattle trade developed greatly after the last Jacobite revolt. In 1766, owing to an unfavourable season in England, there was a "great start"—so great that the dealers hardly knew "how much to ask"; and during the next fifteen years prices, though variable, never fell

[1] *Agriculture of Hebrides*, p. 178.

to their former level. The increase of profits was soon almost absorbed by a rise in rent; and about the time of the "great start" the attention of graziers began to be diverted from cattle to sheep. It had hitherto been supposed that sheep, if they were to survive a Highland winter, must be housed during the night. A broken-down laird, who kept the inn at Tyndrum, is said to have retrieved his fortunes by disproving this error; and so late as 1791 Sir John Sinclair, the President of the Board of Agriculture, found it necessary to enlighten the people of Caithness by a similar practical demonstration. About the year 1762 several farms in the southern Highlands were leased to Border graziers, who stocked them entirely with sheep of the black-faced Tweeddale breed[1]—a breed which gradually supplanted the diminutive native stock; and, though the multiplication of these animals was retarded for a time by the idea that they could not stand the long journey to Lowland and English markets, this delusion also was soon exposed. Once established, the new industry was not likely to stand still; for sheep yielded wool as well as flesh, and were reared more expeditiously and at much less expense and risk than cattle, which, except during the summer months, could find pasture only in the valleys, took three or four years to develop, and died yearly at the average rate of one in five. "For every pound of beef that a Highlander can send to market," wrote Sir John Sinclair, "a shepherd can at least bring three pounds of mutton." In 1783 sheep were reported to have "increased greatly" in the West Highlands; in 1795, though cattle still held their own in Western Sutherland and in the Hebrides, they were being rapidly supplanted in Central

[1] The white-faced, fine-fleeced Cheviots were also introduced, apparently with no permanent success.

Ross-shire; and in some ten years after 1800 the number of sheep in Inverness-shire was believed to have doubled.[1]

The gains both of cattle-farming and of sheep-farming were confined to a very limited class, and each of the two movements left behind it a track of desolation and distress. The claim of the landlords to participate in the high profits of the cattle trade was indeed reasonable, and not always excessive; and a great outflow of emigration, which set in about 1770 from Skye and North Uist, is said to have been caused by an advance in rent which could easily have been met. In less remote districts, where a keener spirit prevailed, the tenants frequently vied with each other in offering extravagant terms. Such competition should, of course, have been discouraged; but the Highland proprietors were now, for the most part, the successors of those who had fought at Culloden, and, with few exceptions, they had lost the sentiment as well as the authority of chiefs. Redeemed from political and social isolation by the maxims which had prevailed at Court since the accession of George III., and immersed in the fashionable life of Edinburgh or London, they thought only of increasing their incomes;[2] and it has been truly said that the prospects of gain opened by the cattle trade did more in a few years to dissolve the bond of clanship than all that legislation or policy had been able to achieve. The management of an estate was too often entrusted to a harsh agent;

[1] Ramsay, ii. 249, 517; Sinclair's *Northern Counties*, pp. 110, 114, 149, 182; Walker's *Hebrides*, ii. 66, 67; Wight, v. 146; *Inverness-shire*, 1813, p. 252.

[2] Dr. Johnson, referring in particular to one of these magnates who had been educated at Eton, said that "the Highland chiefs should not be allowed to go further south than Aberdeen."—Boswell's *Tour to the Hebrides*, 1785, p. 166. The date of the tour was 1773.

many of the landowners were absentees; and very few of them took the practical interest in their dependents which was shown by the great houses of Argyll, Breadalbane and Athol. Knox tells us that in the course of his journeys he frequently met "families or bodies of people" who were begging their way to Greenock. They complained of inclement seasons and inexorable lairds; and, having no other means of procuring a passage to America, were anxious only to be informed how they could sell themselves as slaves. A pamphleteer, writing in 1773, declared that nothing could exceed the avarice and cruelty of many Highland proprietors in raising their rents and expatriating their people. "What greater sign of hating their fellow-creatures can there be than men grinding their very faces?"[1]

In later years the introduction of sheep-farming gave rise to a much greater exodus, and in this case at least the tenants could have done nothing to avert their fate. The evil was due in some measure to loss of employment, for sheep could be managed with fewer hands than cattle, and were less dependent on tillage; but "the chief incompatibility between sheep and people" was that the valleys in which the small tenants had their dwellings and holdings were required during the winter months for the food and shelter of the flock. The high price of mutton and of Spanish wool, occasioned by the French Revolutionary War, quickened the progress of depopulation; and parishes were mentioned in 1806 in which the number of inhabitants had been reduced to a third or even to a fourth. So disastrous were, or appeared to be, the results of this movement that it was

[1] *The Present Conduct of the Chieftains and Proprietors of Lands in the Highlands*, p. 14.

denounced as "an inhuman speculation"; and its victims may well have re-echoed the complaint, which was made with regard to a much earlier agrarian revolution in England: "Sheep have become devourers of men."[1]

Poverty and overcrowding were, however, more voracious "devourers" than either cattle or sheep. Much of the emigration that took place was natural and inevitable, and the alarm it excited was largely due to the fact that Highlanders were valued chiefly as potential recruits. They showed no great readiness to enlist for foreign service during the French Revolutionary War; but twenty-four battalions were raised, as we have seen, for home defence; and the number of men able, if not willing, to become soldiers had never been so great. During the period of this book the losses from emigration and recruiting were so much more than counterbalanced that the population of the Highlands, and particularly of the Hebrides, greatly increased. Before 1780 the growing of potatoes for domestic use had become almost universal; and this food not only made the people more healthy and prolific, but, with the aid of charity, kept them alive during the great dearth of 1782-3.[2] About the same time the practice of inoculation, if it did not quite avert the scourge of smallpox, made it less frequent and much less deadly. Nothing, however, contributed so much to multiply human life in the Hebrides and on the adjacent coasts as the manufacture of kelp, which

[1] *Remarks on the Earl of Selkirk's Observations on the Present State of the Highlands*, 1806, p. 75; Ramsay, ii. 510; Knox, i. 128, 130; Stewart's *Highlanders*, i. 189; Sinclair's *Northern Counties*, pp. 135, 163.

[2] "It is difficult to say whether the discovery of America by the Spaniards has contributed to preserve more lives by the introduction of this vegetable or to have caused more to perish by the insatiable lust after the precious metals of the new world."—Pennant in Pinkerton's *Voyages and Travels*, iii. 328.

was introduced into Tyree in 1746. This substance, obtained from the drying and burning of seaweed, yielded the carbonate of soda which was required for the making of soap and glass; and, so long as the superior qualities of salt and barilla were neutralised by high duties, it possessed a monopoly of the market. Kelp-workers frequently made more than enough to pay the rent of their holdings; and, as some twenty tons of sea-weed went to every ton of kelp, the benefit in wages was widely diffused. It may be supposed that the rise of this new industry must have made the Highlands more habitable; but, as the labour required was of the roughest and simplest kind, the standard of living was not raised; and the only result was early and reckless marriages and a population so poor and so dense that every bad season plunged it into acute distress. It was computed that in the forty years 1755-95 the inhabitants of the Hebrides increased by almost a half. Between 1771 and 1790, unaffected by sheep-farming, which was then almost unknown in these islands, 2400 persons emigrated to America from a single parish in Skye; and at the end of that period the population of the parish had not been diminished.[1]

The extension of sheep-farming in the Highlands provoked so much adverse criticism that proprietors were constrained to seek a remedy for its depopulating effects. Sir John Sinclair in 1795 suggested that the small tenants might participate in the movement by disposing of their cattle and combining to purchase sheep and hire common shepherds, and that those who could not thus be provided for should be "collected into small villages properly situated for the carrying on either fisheries or manufactures." The plan actually adopted

[1] Argyll's *Scotland*, ii. 97-151; Anderson's *Hebrides*, pp. 17, 151.

may have owed something to this suggestion, and in 1806 it was said to be "now becoming universal." When the hills and valleys of a Highland estate had been leased to a sheep-farmer, the inhabitants were brought down to the low grounds, assumed to be arable, where they received allotments and a common right of moor-pasture. These "one and two acre lots" yielded a poor as well as a scanty crop, and where—as was usually the case—they were situated on the coast, the crofter was expected to become a fisherman. In other words, as the rent of his holding could not possibly be paid out of its produce, he was to extract it, under little less discouraging conditions, out of the sea. We have seen that the herring bounties had been the making of several western towns; but this was a consequence of the law which required the busses to set out from these ports; and a man who dwelt on the shores of Loch Broom had thus to make a voyage of a month or six weeks before he could fish at his own door, and another such voyage before he could return home. Busses, however, required higher seamanship than could be acquired by inland-bred tenants; and the law was such that these unfortunate people could do little in their open boats. For the purpose of fish-curing, and for that purpose alone, foreign salt was exempted from duty; and, in order to guard against fraud, the importer was required under bond either to produce a sufficient quantity of cured fish or to return what remained of his salt. This was hard enough on the buss-fishers who had to spend much of their time cruising back and forward to the custom-house, and so hard on the boat-fishers that they could make little or no use of bonded salt. They might indeed have sold their fish to the busses, but the crews of these vessels, in order to stimulate their activity, were for-

bidden to buy. By a curious anomaly Ireland, but not Scotland, was permitted to import rock-salt from Liverpool; and consequently to other evils affecting the Highlands was added smuggling. A person in one of the Hebrides is said to have owned that in one year his illicit importation of Irish-made salt amounted to 970 tons. It will thus be seen that what the Highlands gained in kelp from the salt laws was neutralised to some extent by the discouragement to fishing.[1]

It was natural, if not inevitable, that certain classes and districts should suffer in the course of an industrial development so great and so rapid as that which has now been reviewed. Some of the men who won distinction in the movement are commemorated in these pages; but this struggle, whose bloodless triumphs were won in the counting-house, in the factory and on the farm, was as honourable to the soldiers of industry as to their leaders; and our gratitude is due, in the words of George Eliot, to "many valiant workers, whose names are not registered where every day we turn the leaf to read them, but whose labours make a part, though an unrecognised part, of our inheritance."

[1] Sinclair's *Northern Counties*, pp. 186-189; Sheriff Brown's *Strictures* on Selkirk's pamphlet, p. 41; Stewart, i. 160; Anderson's *Hebrides*, pp. 35-48; *Examination of Macculloch's Highlands*, 2nd edition, p. 251.

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